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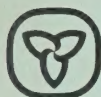












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# Thoroughbred Racing

(With Quarterhorse Appendage)

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**Ontario Racing  
Commission  
1981**



Thoroughbred  
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## ONTARIO RACING COMMISSION

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DR. R. F. ROELOFSON

*Supervisor of Thoroughbred Racing*

F. C. PARADIS

*Secretary-Treasurer*



## FOREWORD

No sport is more closely supervised than the racing of thoroughbred horses. The main purposes of this close supervision are to assure the spectator public and competing owners of horses:

1. That the association conducting a race meeting is operated by responsible management;
2. That every owner and trainer seeking to enter a horse in competition is a person of good character and of financial responsibility.
3. That every horse appearing in a race is the animal he is represented to be on the program; is carrying the correct weight as assigned by the track handicapper; and wearing the colors of the owner in whose name the horse is being run;
4. That every race run will represent a true competitive effort by every participating horse and rider;
5. That no rider, during the running of a race commits any act that would unfairly tend to make the race anything other than a true competitive test;
6. That every horse is physically fit to race;
7. That no one responsible for the custody of a competing horse has administered or permitted to be administered any forbidden medication to the competing animal;
8. That every racing association is doing its utmost to provide the spectator public, the horses and their attendants the best possible facilities it can afford;
9. That the wagering facilities and the management and clerks in this department are of an order to inspire confidence of the patrons in the way this feature of the sport is conducted.

It is with the foregoing purposes in mind that the Legislatures of the provinces and the states where thoroughbred racing is conducted, have, by statute created Racing Commissions, and vested them with the authority to adopt and enforce Rules of thoroughbred racing.

The Ontario Racing Commission is an independent agency of government created by an act of the Legislature of Ontario.

The Commission consists of seven members appointed by the Lieutenant-Governor-in-Council.

The Commission is vested with power to govern, direct, control and regulate horse racing in Ontario.

No person or association can conduct a race meeting or have anything to do with the conduct of such a meeting except pursuant to a license granted and issued by the Commission.

The Commission is vested by law with full authority to prescribe the rules,



regulations and conditions under which thoroughbred racing may be conducted in this province.

For the full text of the law creating the Commission and prescribing its duties and powers see The Racing Commission Act, R.S.O. 1970, Chapter 398; as amended.

# RULES OF THOROUGHBRED RACING

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## **The Racing Commission Act**

### **Revised Statutes of Ontario, 1970 as amended**

1. In this Act,

- (a) "Commission" means the Ontario Racing Commission;
- (b) "Minister" means the member of the Executive Council to whom the administration of this Act is assigned by the Lieutenant Governor in Council. R.S.O. 1970, c. 398, s. 1.

2. The body corporate known as the Ontario Racing Commission, established under *The Racing Commission Act, 1950*, is continued and shall be composed of not fewer than three and not more than seven members appointed by the Lieutenant Governor in Council. R.S.O. 1970, c. 398, s. 2.

3. The objects of the Commission are to govern, direct, control and regulate horse racing in Ontario in any or all of its forms. R.S.O. 1970, c. 398, s. 3.

4. The members of the Commission shall hold office for a term of not more than three years, but any person is eligible for reappointment. R.S.O. 1970, c. 398, s. 4.

5. (1) The Lieutenant Governor in Council shall name one of the members to be the chairman and one of the members to be the vice-chairman.

(2) When the office of chairman is vacant or in the absence of the chairman, the vice-chairman shall act in his place and stead. R.S.O. 1970, c. 398, s. 5.

6. (1) At any meeting of the Commission a majority of the members constitutes a quorum, and a majority vote of the members present at any meeting of the Commission determines any question.

(2) The chairman has a casting vote in addition to his ordinary vote. R.S.O. 1970, c. 398, s. 6.

7. The Lieutenant Governor in Council may fill any vacancy that occurs in the membership of the Commission. R.S.O. 1970, c. 398, s. 7.

8. The Lieutenant Governor in Council shall fix the salaries of the chairman, the vice-chairman and the other members of the Commission. R.S.O. 1970, c. 398, s. 8; 1973, c. 116, s. 1.

9. (1) The chairman of the Commission and all officers, clerks and other employees thereof are subject to *The Public Service Act* and are civil servants within the meaning of that Act.

(2) The Lieutenant Governor in Council may provide that the members of the Commission, other than the chairman, or any of them, are subject to *The Public Service Act* and are civil servants within the meaning of that Act. R.S.O. 1970, c. 398, s. 9.

10. The salaries and expenses of the members of the Commission and of the officers, clerks and other employees thereof, and generally all costs, charges and expenses incurred and payable in respect of the carrying out of this Act, shall

be paid out of the monies appropriated therefor by the Legislature. R.S.O. 1970, c. 398, s. 10.

**11. The Commission has power,**

- (a) to govern, direct, control and regulate horse racing in Ontario in any or all of its forms;
- (b) to govern, control and regulate the operation of race tracks in Ontario at which any form of horse racing is carried on;
- (c) to hold hearings relating to the carrying out of its objects or powers, and to summon any person by subpoena signed by the chairman or by any other member of the Commission, and to require such person to give evidence on oath and to produce such documents and things as the Commission considers requisite in any such hearing;
- (d) to enforce the carrying out and observance of all regulations, rules and conditions established under this Act, by a fine or other penalty or otherwise;
- (e) to make by-laws for the conduct of its business and for the control and direction of its work;
- (f) to license persons to operate race tracks at which horse racing in any of its forms is carried on and to impose such terms and conditions on a licence as the Commission considers expedient;
- (g) to license owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen and such other persons in or about race tracks at which horse racing in any of its forms is carried on, and to impose such terms and conditions on a licence, as the Commission considers expedient;
- (h) to fix and collect fees or other charges for licences, prescribe the form thereof and the conditions under which they may be issued;
- (i) to refuse to grant any licence or to suspend or revoke any licence for conduct that the Commission considers to be contrary to the public interest;
- (j) to require registration with the Commission of, and to register colours, assumed names, partnerships and contracts and such other matters and things as the Commission considers expedient;
- (k) to fix and collect fees or other charges for registration under clause *j* and to prescribe the form thereof and the conditions under which registration may be made;
- (l) to make and promulgate rules for the conduct of horse racing in any of its forms;
- (m) to employ stewards, veterinarians, analysts and such other persons as the Commission considers expedient to attend at race meetings on behalf of the Commission;

- (n) to require approval by the Commission of the appointment of race track officials and employees whose duties relate to the actual running of horse races and to compel the discharge for cause of any such official or employee;
- (o) to fix, impose and collect fines and other penalties for a contravention of any requirement of the Commission under this Act;
- (p) to require persons licensed to operate race tracks to keep books of account in a manner satisfactory to the Commission, and to inspect such books at any time;
- (q) to do such things relating to horse racing in any or all of its forms, or to the operation of race tracks at which horse racing is carried on, as are authorized or directed by the Lieutenant Governor in Council. R.S.O. 1970, c. 398, s. 11; 1973, c. 116, s. 2.

12. The accounts of the Commission shall be audited by the Provincial Auditor or by such other auditor as the Lieutenant Governor in Council may appoint. R.S.O. 1970, c. 398, s. 12.

13. The Commission shall make a report annually to the Minister, containing such information as the Minister may require. R.S.O. 1970, c. 398, s. 13.

14. The Lieutenant Governor in Council may make regulations with respect to any and all matters or things that are considered necessary for the carrying out of this Act. R.S.O. 1970, c. 398, s. 14.

15. (1) Rules for the conduct of horse racing may be promulgated by the Commission under this Act and the Commission may therein delegate to stewards, judges, veterinarians, race track officials, racing association officials, licensing agents or officers of the Commission such of the following powers as the Commission considers expedient,

- (a) to hold hearings relating to the carrying out of its objects or powers;
- (b) to enforce the carrying out and observance of all regulations, rules and conditions established under this Act;
- (c) to license owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen and such other persons in or about race tracks at which horse racing in any of its forms is carried on;
- (d) to collect fees or other charges for licenses;
- (e) to impose and collect fines and other penalties for a contravention of any requirement of the Commission under this Act.

(1a)- The Commission may adopt by reference, in whole or in part, with such changes as the Commission considers necessary, rules and procedures of racing associations or bodies and may delegate to racing associations or bodies the power to,

- (a) enforce the carrying out and observance of the rules and procedures as adopted or amended
- (b) hold hearings in respect of the contravention of any of the said rules or procedures; and
- (c) impose and collect fines, costs and other penalties for the contravention of any of the said rules or procedures,

and where a power has been so delegated to a racing association or body, it shall have the right to exercise discretion or judgment in relation to the powers delegated.

(1b)- Every person, association or body to whom a power to hold hearings has been delegated under subsection 1 or 1a, may summon any person by subpoena and require any person so summoned to give evidence on oath and to produce such documents and things as may be required for purposes of a hearing.

(2) - Subject to subsection 2b, any person who considers himself aggrieved by a decision of a person delegated by the Commission under a rule made under subsection 1 or by a decision resulting from a hearing held pursuant to a delegation under subsection 1a, is entitled to a hearing by the Commission and, in the case of a hearing, the Commission may exercise its powers and duties under section 11 as if such powers and duties had not been delegated.

(2a)- Where the Commission, after holding a hearing, is of the opinion that the request for the hearing was frivolously made, the Commission may order the person requesting the hearing to pay to the Commission a penalty of no more than \$300 in addition to any other penalty that may be imposed.

(2b)- Where the rules of the Commission, promulgated or adopted, provide for an appeal to an association or body, any person who considers himself aggrieved shall appeal in accordance with the rules before applying to the Commission for a hearing under subsection 2.

(3) - Any order or rule issued or made by the Commission under this Act shall be deemed to be of an administrative and not of a legislative nature. 1973, c. 116, s. 3.

(4) - For the purposes of a hearing under subsection 2, three members of the Commission, one of whom shall be the chairman or vice-chairman, constitute a quorum.

(5) - The Commission may, on its own motion, review any decision made by a racing association or body pursuant to a power delegated under subsection 1a and may, after affording the parties an opportunity to be heard, confirm the decision reviewed or substitute its own decision in lieu thereof.

## **Chapter 1**

### **PRELIMINARY**

**1.01.1** (a) These rules apply to all thoroughbred tracks under the commission jurisdiction.

**1.01.1** (b) For the purposes of quarter horse racing the rules of thoroughbred racing shall apply with the exception that they shall be superseded by the quarter horse appendage if a conflict arises.

**1.01.2** The laws of the Province of Ontario and the Rules of Thoroughbred Racing including the quarter horse appendage shall supersede the conditions of a horse race and the regulations of the Association.

**1.01.3** All rulings of Racing Boards and Commissions which are members or associate members of the National Association of State Racing Commissioners will be honoured by the Commission as taking effect in Ontario, and all Associations and their officials and employees shall honour such rulings and rulings of other racing jurisdictions in Canada.

**1.02.1** Newly adopted rules and all changes become effective on the date of publication unless otherwise expressly provided.

**1.02.2** The Daily Racing Form shall be the official periodical for announcements and publications of the Commission and all publications promulgated by the Commission will be published in The Daily Racing Form.

**1.02.3** Any ruling of the Commission, the Stewards or other racing officials may be published in the Daily Racing Form or other publication as soon as the person or persons affected by such ruling have been notified either directly or by mail.

**1.03** Every person participating in and every patron of a meeting shall abide by the Rules and accept the decisions of the stewards on all matters to which their authority extends, subject to the right of appeal to the Commission, and shall accept as final the decisions of the Commission.

**1.04** Commission officials and employees shall not drink alcoholic beverages while on duty.

**1.05** Ignorance of the Rules will not be accepted as an excuse for their violation.

**1.06** Directives of the Commission shall have all the force and effect of the Rules.

**1.07** All definitions in these Rules shall apply as well to Commission Directives.

**1.08** When the Final day for implementing any activity covered under the rules falls on a Sunday, and when no racing is being conducted on that day, the activity may be carried out the following Monday. However, if a race to which such



activity relates is scheduled for that Monday, the activity may be performed on the previous Saturday.

## **Chapter 2**

### **DEFINITIONS**

**2.01** "Age" is calculated from the first day of January in the year in which a horse is foaled.

**2.02** "Aged horse" means a horse which has attained nine years of age.

**2.03** "Official Chemist" means a graduate in Chemistry of a university of recognized standing who is approved by the Canada Department of Agriculture or the Provincial Department of Health to analyze samples of urine or blood taken from horses under the provisions of these Rules and Part V of the Race Track Supervision Regulations under the Criminal Code.

**2.04** "Arrears" includes all sums due for entrance money, subscriptions, stakes, forfeits, fines, fees, purchase money in races with claiming conditions, or any default incident to the Rules.

**2.05** "Association" means a person, association or corporate body, licensed by the Commission to conduct a race meeting.

**2.06** "Authorized agent" means an agent appointed by a document signed by the owner and filed each year with, and approved by, the stewards or the Supervisor of Thoroughbred Racing.

**2.07** "Breeder" means the owner of the dam of a horse at the time of foaling.

**2.08** "Canadian bred horse" means one that is foaled in Canada.

**2.09** "Chief Test Inspector" means the official approved pursuant to Part V of the Race Track Supervision Regulations under the Criminal Code, and who is directly responsible to the Canada Department of Agriculture and to the Stewards for taking official urine and blood samples from the horses and for handling and shipping such samples.

**2.10** "Claiming race" is one in which every horse running therein may be claimed in conformity with the Rules.

**2.11.1** "Commission" means Ontario Racing Commission."

**2.11.2** "A Commission" means a Racing Commission recognized by the Ontario Racing Commission.

**2.12** "Declaring" is the withdrawal of a horse from a race at any time prior to it being actually entered therein.

**2.13** "Day" means twenty-four hours ending at midnight.

**2.14** "Drug" shall mean a substance intended for use in the diagnosis, treatment, mitigation, cure or prevention of disease in human beings or animals

and a substance, other than food, intended to affect the structure or any function of the body of a human being or animal.

**2.15** "Entry" means a horse which has been made eligible for a particular race in accordance with its specific conditions, and which has been duly entered to start by the time set for the closing of such entries.

"Entry" also means two or more horses in the same race which are owned or trained by the same person or trained in the same stable by the same management or are coupled for pari-mutuel purposes.

**2.16** "Equipment" includes, when applied to a horse, whips, blinkers, tongue straps, bits, shadow rolls, martingales, breast plates, bandages, boots and plates.

**2.17** "Gender"; words of the masculine gender include the feminine and the neuter and may refer to a partnership.

**2.18** "handicap" is a race in which the weights to be carried by the horses are adjusted by the handicapper of the purpose of equalizing their chances of winning.

**2.19** "Highweight handicap" is one in which the top weight shall not be less than 140 pounds.

**2.20** "Horse" means stallion, mare, gelding, colt or filly.

**2.21** "Maiden" means a horse which at the time of starting has never won a race on the flat at a track covered by the Daily Racing Form or other similar authorized publication.

**2.22** "Meeting" means a horse-racing meeting held in Ontario with the approval of the Commission; and is the period of time during which races are consecutively run at one race track. A meeting shall not include an agricultural fair or exhibition at which horse racing is not the sole or principal feature.

**2.23** "Month" means a calendar month.

**2.24** "Nominator" is a person in whose name a horse is nominated in any race for which there is a nomination fee.

**2.25** "Official Veterinarian" means a graduate in veterinary medicine from a university of recognized standing who is employed by the Commission.

**2.26** "Overnight handicap" is one in which no liability is incurred for entrance money or stake until acceptance of the weight, either directly or through omission to declare out.

**2.27** "Overnight race" is one for which the entries close 72 hours, or less, before the time set for the first race of the day on which such race is to be run.

**2.28** "Owner" includes part owner or lessee. For the purpose of the Rules of Racing, a husband and wife shall be one person and shall be subject to the provisions of Rule 6.11.1 and Rule 6.13.1. Notwithstanding this rule, if one proposes to act as the authorized agent of the other then an authorized agent's license must be obtained.

**2.29** "Post position" means the position assigned to the horse for the start of the race.

**2.30** "Post time" means the time set for the arrival of the horses at the starting point in a race. "Post time" for each race shall be the time set by the official clock on the tote board.

**2.31** "Produce race" is one to be run for by the produce of horses named or described at the time of entry.

**2.32** "Public stable trainer" is a trainer who has been engaged by two or more owners.

**2.33** "Publication" means a Commission Directive, Ruling and any other publication which may from time to time be so designated by the Commission.

**2.34** "Race" means a contest between horses for a stake, a purse or plate, a sweepstakes or an overnight event but not a steeplechase or hurdle race, and when an Association decides to run a race in two or more divisions, each division shall be deemed to be a race for the purpose of these Rules.

**2.35** "Race track" or "track" shall be deemed to mean and include all parts of the plant or premises of an Association.

**2.36** "Rules" means the Rules of Thoroughbred Racing herein prescribed and any amendments thereto, and relate only to thoroughbred racing at all Ontario race tracks under the jurisdiction of the Commission.

**2.37** "Singular", "Plural"; words in the singular number include the plural, and in the plural number includes the singular.

**2.38** "Scratching" means striking a horse out of a race in which it has been entered.

**2.39** "Scratch time" means the time set by the Association for the closing of applications for permission to withdraw from races to be run on a particular day.

**2.40** "Stewards" shall be deemed to mean the stewards appointed by the Commission and the stewards appointed by the Association, after approval by the Commission, or their deputies or substitutes, acting together, or such of them as may be acting at the time.

**2.41** "Subscription" means the act of nominating for a stakes race.

**2.42** "Sweepstakes" or "stakes" race means a race which closes more than 72 hours in advance of its running and for which subscribers contributed money towards its purse.

**2.43** "Track" see "Race track."

**2.44** "Urine Inspector" means a person employed by the Canada Department of Agriculture to perform duties set out in Part V of the race track supervision regulations under the criminal code.

**2.45** "Walkover" is an event where the only competitor is a horse or entry running in a single interest.

**2.46** "Weight for age" means standard weight according to Rule 8.01 and remains a weight for age race even though there be penalties and allowances.

**2.47** "Clear Days" shall be construed so as to exclude the day of the last race or the day of the last workout and the day of the race, or; the day of the claim and the day of the sale or transfer, or the day of the race outside of Ontario.

**2.48** The definition of "Feature" racing shall be the same as is found in The Race Track Supervision Regulations of the Criminal Code.

**2.49** "Stable area" means those places within the property of a racing association wherein is or are the stables, track kitchen, racing offices, training areas, saddling areas including paddock and walking ring, and the winner's enclosure.

**2.50** "Conditional license" means any racing Commission license set forth by the Stewards which has conditions limiting the normal rights of that license holder.

## Chapter 3

### RACING ASSOCIATIONS AND ASSOCIATION OFFICIALS

**3.01** An Association shall not:

- (i) Operate a race track at which racing is conducted without applying for a licence, race dates and the post time for the first race of each program of racing on each race date and having them approved by the Commission.
- (ii) Change its race dates or the post time for the first race on any race date by more than 30 minutes, without having such change approved by the Commission.
- (iii) Operate a race track without payment in advance of monthly program fees for the days upon which racing is to be conducted by the Association.

**3.02** The Commission has power, as it may think proper, to make and, if necessary, to vary all arrangements for the conduct of a meeting.

**3.03.1** Members of the Commission and its designated representatives in the performance of their duties, shall have the right of full and complete entry to all parts of the grounds and buildings of any Association, whether or not racing is being conducted by the Association at the time.

**3.03.2** As a condition to its Race Track Operator's Licence, an Association shall provide:

- (i) A stewards' stand to be located and constructed so as to afford the stewards with an unobstructed view of the entire racing strip and having adequate facilities acceptable to the Commission for carrying out of their duties.
- (ii) Adequate security measures to ensure that unauthorized persons do not gain entrance to the stewards' room in the stewards' stand unless invited by the stewards.



- (iii) Offices within the grounds of each race track for the use and at the disposal of the Commission's designated representatives for the purposes of licensing and for the stewards to carry out their pre and post race duties. These facilities are to be acceptable to the Commission and will be subject to inspection at any time.

**3.04.1** Moving picture films of the races will be screened at the race track, where racing is being conducted, at a time arranged by the stewards on the next racing day, in a room or place to be designated by the stewards.

**3.04.2** All Commission licensees, members of the Press and members of the public may attend these screenings.

**3.04.3** Only one public screening of any race shall be required to be made for Commission licensees, members of the Press or public, provided, however, that if the Executive Committee of the H.B.P.A. requests a special showing of the film of any race such film will be screened for them at or about the time of the public screening of the films of the previous day's racing.

**3.04.4** The Patrol Judges, as directed by the Stewards shall attend the screening of the films of the preceding day, the time and place of the screening to be selected by the Stewards.

**3.04.5** Films of all races are to be kept by the Commission for one year after the last racing day in the previous year.

**3.04.6** Subject to foregoing, the films of the film patrol shall not be shown, given or sold to anyone without permission of the Stewards or the Supervisor of Thoroughbred Racing. Further clearance must be obtained from the Canada Department of Agriculture before any films of the Film Patrol are given or sold to anyone.

**3.05** Members of the general public admitted by an association to a race track are denied the use of the association's telephone equipment during the interval each day between post time of the first race until after the last race.

**3.06** Horse racing on which pari-mutuel betting is conducted shall not be held on any one race track on more than six days in any one calendar week. The seventh day on which racing will not be held shall be so designated within the application for dates, and shall remain constant throughout any race meeting.

**3.07** Public telephones on the grounds of a race track are to be securely locked during the interval each day between one hour before post time of the first race until after the last race.

**3.08** At the close of each meeting, each racing association shall report to the Commission the handle, paid attendance, total purses paid, provincial government revenue from wagering and association revenue from wagering for each meeting.

**3.09** Races shall be run by Association no longer than 30 minutes apart on week-days and no longer than 35 minutes apart on Saturdays, Sundays and

holidays but in the event of emergency, such times may be extended by the stewards.

**3.10** Racing shall be conducted only between the hours of 12 o'clock noon and 12 o'clock midnight Eastern Standard Time, unless otherwise specifically authorized by the Commission.

**3.11** When a racing association is conducting racing, it shall reserve sufficient accommodation in its receiving barn for horses that are stabled elsewhere than on its association grounds and the trainers of horses racing each day shall have their horses in the receiving barn in accordance with the following schedule: Two hours prior to post time for the first race of the race program in which it races.

**3.12** When any horse which is not stabled on the association grounds where racing is being conducted arrives on a track to race, the trainer or his attendant shall so inform the receiving barn attendant at least 2 hours prior to post time for the first race of the race program in which it races, and the receiving barn attendant shall inform the appropriate officials, including Commission Veterinarians.

**3.13** Before entering upon their duties, the following officials and employees of an Association shall be approved in writing by the Commission: physicians, stewards, racing secretaries, assistant racing secretaries, handicappers, starters and their assistants, placing judges, clerks of the scales, paddock and patrol judges, timers, jockey room custodians and such other officials and employees of an Association as the Commission may direct from time to time.

**3.14** All racing officials and employees of the Commission, or Associations, shall promptly report to stewards all observed violations of the rules.

**3.15** No one shall enter the stabling area of an Association race track where horses are stabled unless he or she is a member, official, employee or licensee of the Commission, an employee of an Association or a person whom the Commission or the Association has issued with documentary credentials attesting to his or her right to enter such stabling area. However, owners, trainers, authorized racing officials, Commission members and jockeys with proper documentary credentials may sign in guests, unless such guests are unacceptable to the Commission or the Association.

## **Chapter 4**

### **LICENSING**

**4.01.1** The Commission Agent shall issue licenses to racing officials, pari-mutuel employees, stable employees and every person who practises his or her profession, trade, or calling, on a race track provided such licenses have been approved by the stewards or the Supervisor of Thoroughbred Racing, or by the

Commission where an application is referred to it by the Supervisor of Thoroughbred Racing.

**4.01.2** To be valid, each license must bear a signature and photograph of the holder. The Commission shall provide and pay for an accurate photograph of the licensee.

**4.01.3** Any licensee of the Commission shall on demand furnish the Commission with his fingerprints and photograph.

**4.01.4** Every license issued to any licensee by the Commission is issued on the condition that the licensee, his employees, servants and agents who may be concerned with racing, shall accept, observe and enforce the Rules.

**4.01.5** (a) The Commission may refuse to grant or may suspend or revoke any license for conduct that the Commission considers to be contrary to the public interest. In particular, but without limiting the foregoing, the Commission may reject the application for a license or may revoke the license of a licensee if it finds that such applicant or licensee is or has been consorting with criminals, bookmakers, touts, suspended persons, or other undesirable persons, or is or has been himself a criminal, bookmaker, tout or a person of similar pursuits.

(b) The Commission may refuse to issue or renew the license of any owner, trainer, or other licensee, or may suspend or revoke such license if such owner, trainer or other licensee has accumulated unpaid obligations, issued drafts or cheques which are dishonoured or payment refused, or otherwise displayed financial irresponsibility reflecting on the sport of thoroughbred racing. These powers may be exercised by the Stewards at their discretion.

**4.01.6** No person shall operate as an Association racing official, Association employee (except such Association employees as are exempted by the Commission), owner, owner-trainer, trainer, jockey, apprentice jockey, jockey's agent, jockey's valet, or stable employee, nor shall anyone practice his profession, trade or calling on a race track without a current license issued to him by the Commission, and such license shall be honoured as a pass to such part of the grounds as, when and where the licensee is obliged to perform his duties, except that no license will be required for an exempted Association employee or the employee of a company, partnership or person with whom the Association has a contract to supply goods or service.

**4.01.7** Unless an owner has a horse registered with the Association, his license shall be invalid and he shall on demand forfeit his license to the stewards and he shall not apply for another owner's license or for the return of the forfeited owner's license until he has a horse registered with the Association.

**4.01.8** Upon any occupational licensee leaving the employment of an owner or trainer, it shall be the responsibility of that licensee to notify the Commission Clerk accordingly. It shall also be the responsibility of the employer, be it owner or trainer, to notify the Commission Clerk of this information.



**4.01.9** Each license issued by the Commission shall be of the type equipped with a clasp and shall be worn by the licensee on the outer garment and in plain view at all times while the licensee is within the confines of the stable area.

**4.02.1** The license fees to be paid to the Commission by personnel concerned in racing are as follows:

New Owners .....	\$ 25.00
Renewal Owners .....	\$ 10.00
Temporary Owner's license fee .....	\$ 5.00
Trainers .....	\$ 10.00
Jockeys .....	\$ 20.00
Apprentice Jockeys .....	\$ 10.00
Jockey Agents .....	\$ 10.00
Jockey Valets .....	\$ 5.00
Authorized Agents .....	\$ 10.00
Tradesmen .....	\$ 5.00
Veterinarians .....	\$ 5.00
Pari-mutuel employees .....	\$ 5.00
All others .....	\$ 5.00

An owner will not be considered as a renewal owner if his license has been in a state of lapse for three racing seasons prior to the season of application.

**4.02.2**

(a) The following annual fees shall be payable to the Commission upon application for registration with the Commission of the following:

Stable Names .....	\$ 50.00
Partnerships .....	\$ 5.00
Lease .....	\$ 5.00 (per horse)
Authorized Agents .....	\$ 5.00

(b) A partnership which races under a stable name must fill out the partnership form but is not required to pay the partnership fee.

**4.03** The license fee to be paid to the Commission by an Association shall be determined by the Commission from time to time.

**4.04.1** Persons under 16 years of age, with the approval of the Stewards and upon written consent of the parents or guardian, may be licensed by the Commission.

**4.04.2** Notwithstanding Rule 4.04.1, no person under 18 years of age will be licensed by the Commission as an apprentice jockey, or jockey, save and except those apprentice jockeys and jockeys, under 18 years of age, who have previously been licensed by a Commission.

**4.05** Any Commission licensee who is exercising horses and has not been granted an occupational license valid for exercising horses, shall apply for such license.

**4.06.1** For the purpose of this Chapter, "jockey" shall include "apprentice jockey."

**4.06.2** Before being granted a jockey's license, each applicant shall have a chest x-ray each year. Printed forms, which should be filled out before making an appointment, may be procured at the Commission offices.

**4.06.3** Before being granted a jockey's license each applicant shall have his/her eyes examined by an oculist, whose name will be furnished to applicants upon request. The expense of these examinations will be borne by each individual applicant.

**4.06.4** Before being granted a jockey's license, each applicant shall be physically examined by a physician acceptable to the Commission. Physicians making such examinations shall, as promptly as possible, report the result of the examination to the Commission. The cost of such examination will be borne by the applicant.

**4.07** The stewards shall notify the Commission of all jockey agents they have recommended for licenses and shall keep the Commission notified of all changes in jockey agent's representation of jockeys and jockey agents who leave Ontario.

**4.08** A licensed trainer may apply for a temporary license status on behalf of an owner he represents by completing an Application for Thoroughbred License Form, (for example John Doe, Owner, per Richard Roe, Trainer). A non refundable fee of \$5.00 shall be charged for such temporary license status. The temporary license status shall be revoked fourteen clear days from the date of issuance of the temporary license status, or upon receipt of a completed application form and payment from the owner, whichever comes first. In any event the licence must be completed and paid for within the next 30 clear days following the issuance of the temporary licence.

**4.09** No trainer shall apply for a trainer's license except under his own name. (See Rule 31.06)

**4.10.1** Before being granted a jockey's valet's license, each applicant must have a chest x-ray each year. Printed forms, which should be filled out before making an appointment, may be procured at the Commission offices.

**4.10.2** The Commission or the stewards may at any time order a thorough physical examination of any jockey's valet by a physician appointed by the Commission.

**4.11.1** The requirements of Rules No. 4.06.2 to 4.06.4 inclusive may be waived by the stewards in the case of a jockey who on arrival in Ontario proposes to ride in Ontario for less than seven racing days and such jockey shall so certify to the stewards before he is granted a license.

**4.11.2** The requirements of Rule No 4.06.3 may be waived by the stewards for a Fort Erie meeting in the cases of jockeys who arrive for the first time in Ontario

at Fort Erie, in which case, they shall have their eyes examined first by any physician engaged by a racing association and approved by the Commission, and later, when they reach the Toronto area, Rule No. 4.06.3 shall apply.

**4.12** Any holder of an occupational license shall at once surrender it to the stewards or the Commission Clerk upon demand, and after such demand having been made, whether it is complied with or not, the holder's occupational license shall be automatically and immediately suspended and the matter shall be reported to the Commission.

**4.13** In order to be licensed as a blacksmith the applicant must fulfill either of the following:

- (a) have the approval of the Stewards, and have held a license at a recognized track in North America in one or more of the preceding 3 years or;
- (b) (1) have past experience in the blacksmith's field of endeavour suitable to the Stewards and;  
(2) have the trainers of the total of at least seven horses willing to use his services, and;  
(3) must pass a test of shoeing a horse overseen by a blacksmith representative from the blacksmith's licensed on the grounds and a Commission Veterinarian representing the Ontario Racing Commission.

**4.14** In order to be licensed as a veterinarian's student assistant, the applicant must fulfill the following conditions:

- (a) he or she shall have been enrolled and have completed at least one year at a veterinary college recognized by the Ontario Veterinary Association.
- (b) he or she shall be in the employment of a veterinarian licensed by the Ontario Racing Commission.
- (c) he or she shall agree to and obey the regulations of the Ontario Veterinary Association in regard to student assistants.

## **Chapter 5**

### **COLOURS**

**5.01** All racing colours carried in races shall be registered annually, or for life, with the Commission. The fees for registration are:

Colours (Annual)	\$15.00
(Life)	\$50.00

**5.01.1** The front and back of each jacket registered with the Commission must be identical in every particular in colour and pattern. Racing colours registered with the Commission prior to September 7, 1970 which do not comply with this rule may continue to be registered until they are lapsed.

**5.02** Without permission of the stewards no persons shall start a horse in colours other than those registered with and approved by the Commission in his

own or his stable name, nor shall any partnership start a horse in colours other than those registered with and approved by the Commission in the name of the partnership or in its stable name, nor shall any two ownerships start horses in the same colours.

**5.03** A jockey shall wear the colours of the owner of the horse he is riding (except by special permission of the stewards) and any change of colours shall be announced to the public.

**5.04** Any disputes between claimants to the right of particular racing colours shall be decided by the Commission.

**5.05** The purchaser of lifetime colours shall have the right to use these colours throughout his or her lifetime and may be used by their estate as long as the horses run in the name of that estate. For a period of five years after the estate ceases to use the colours, they cannot be used without the approval of the estate.

## **Chapter 6**

### **ENTRIES AND SUBSCRIPTIONS**

**6.01** No horse shall be permitted to enter or start unless:

- (a) It is duly registered with and approved by the registry office of the Jockey Club (New York) and its registration certificate is filed with the Association, or qualifies under rule 11.17(b).
- (b) It is owned by a licensed owner and is in the care of and saddled by a licensed trainer.
- (c) At the time of entry, the horse must be eligible to the conditions of the race as specified by the Racing Secretary and must remain eligible until the race, with the exception of rule 6.33.

**6.02** Any horse that has raced in Ontario and is sold either during the racing season or after the close of racing, shall not be eligible to be entered for racing in the subsequent year until a Bill of Sale for a change of ownership has been approved by the stewards or a properly executed transfer has been made on the foal certificate. (Bill of Sale Forms may be obtained from the Horsemen's Benevolent and Protective Association and the Ontario Racing Commission offices at the race track). All Bills of Sale must include any encumbrances, contingencies, conditional sale terms, or any other restriction to a clear title, recorded in the applicable place. The stewards may waive this rule under exceptional circumstances.

**6.03** If a horse's name is changed, its new name shall be registered with the Jockey Club (New York) and its old, as well as its new name, shall be given in every entry list until it has run three races, and both names must be printed in the official programme for those three races.

**6.04** If entered for the first time at a meeting, a horse shall be identified by

stating its name, colour, sex and age, and the name of its sire or sires and dam as registered. Such description of such horse shall be repeated at each entry until the horse and description of such horse have been published in the Association's daily programme or the list of entries of an Association. In every race thereafter sufficient description shall be deemed to be provided if the name, colour, sex and age of a horse is furnished.

**6.05** The conditions of any race, including the distance of the race or the track, whether dirt or turf, may be changed by the Association until the time of entry and after that, only with permission of the stewards.

**6.06.1** Nominations and entries may be made by any one of equal partners. However, all partners and each of them shall be jointly and severally liable for all fees and forfeits.

**6.06.2** No horse owned by a partnership shall be permitted to enter or to start until the Rules for the registration of partnerships have been complied with.

**6.07** The nominator is liable for the entrance money or stakes, and a mistake in the entry of a horse when eligible does not release the subscriber or transferee from liability for stakes or entrance money.

**6.08** Entrance money is not refunded on the death of a horse, nor its failure to start.

**6.09** (a) The personal representative of a deceased owner shall be deemed to hold an owner's license in respect of horses belonging to the estate of the deceased until the Commission declares that such deemed license is no longer in effect.

(b) In the event of the death of a licensed owner, the authority of any person authorized as an agent for the deceased shall become void until further notification in writing by the executors or the administrators of the licensee's estate; that the authorized agent is entitled to act for that estate under whatever clauses they so indicate.

**6.10.1** Entries, scratches and declarations shall be made in writing and signed by the owner of the horse or his trainer or his authorized agent, and each Association shall provide forms on which entries, scratches and declarations are to be made.

**6.10.2** For all races, the racing secretary or his deputy are the only persons authorized to receive entries, scratches and declarations.

**6.10.3** Notwithstanding Rule 6.10.1 entries may be submitted by telephone or telegraph, but when so submitted need not be accepted by Associations, and must be confirmed in writing. Confirmation must be postdated within 24 hours of the telephone or telegraph entry.

**6.10.4** No person shall enter a horse other than in the name of the actual owner or lessee.

**6.11.1** A horse shall not be eligible to be entered, nor start in any race, if



owned in whole or in part, or if trained by or under direct management of an unlicensed or a suspended person. However, in the case of husband and wife no entry shall be accepted from husband or wife while either is disqualified. Husband and wife, unless living separate and apart pursuant to a decree, order or judgment of competent tribunal, or pursuant to a written agreement, shall be considered a single entity and any ruling which applies to one shall equally apply to the other. This rule may be waived by the Commission should the spouse of the disqualified person present documented evidence that ownership and racing of his or her horses is independent of, or not under the control or influence of the disqualified spouse.

**6.11.2** If any entry from an unlicensed person or a person whose license is under suspension or of an ineligible horse is received, such entry shall be void and any money paid for such entry shall be returned if the facts are disclosed one hour before post time for the race. Otherwise, such money shall be paid to the winner.

**6.11.3** No horse shall be allowed to enter or start in any race if the owner of that horse is in arrears, except with the approval of the stewards.

**6.11.4** No person shall wilfully enter, or cause to be entered, or start a horse which he knows or believes to be ineligible or disqualified.

**6.12.1** The racing secretary may postpone closing of overnight races.

**6.12.2** In the case of sweepstakes, the closing of nominations, entries, interim payments and declarations shall be in accordance with the conditions published by the association sponsoring the event.

**6.13.1** Except in stakes races and races which are conditioned for horses eligible for a specified stakes and other races which underfill, not more than two horses of the same ownership or interest shall be entered in a race and both may start.

**6.13.2** No trainer shall enter more than two horses in an overnight event. A trainer may enter and start two horses in an overnight event if the horses are of different ownership. In no case shall two horses start if they are of the same ownership to the exclusion of a single entry.

**6.13.3** Not more than two horses trained by the same trainer shall be drawn into any overnight race or on the also-eligible list to the exclusion of another horse, except in split races.

**6.14.1** Horses trained by a public stable trainer shall not be coupled with horses trained by another public stable trainer unless the horses in question are owned by the same person.

**6.14.2** All horses owned wholly or in part by the same person, or his or her spouse, or trained by the same trainer, shall be coupled and run as an entry.

**6.14.3** Notwithstanding Rule 6.14.2 where two or more horses are coupled as an entry only for the reason that the horses are trained by the same trainer, the

racetrack association may with the consent of the stewards run those horses as separate interests, if

- (i) the race in which the horses are entered is a sweepstake; and
- (ii) the nomination closing date for the race was at least ten days prior to the race.

**6.15** The number of starters in any overnight race shall be limited by the width of the track at the starting post, the maximum number to be determined by the stewards.

**6.16** When entries exceed the permitted number of starters, the number of starters shall be reduced to the proper number by lot, or also by lot by division of the race at the option of the Association. Overnight handicaps and starter handicaps that overflow and handicap races which split are excepted from this rule.

**6.17** Each day after the entries have been closed, it shall be the duty of the racing secretary to designate persons from owners or trainers present in the entry office to draw the entry sheets and post position numbers. In every case, the entry shall be drawn from its approved receptacle before the number ball is released from the number box.

**6.18** In divided stake races the starters in the separate divisions shall be determined by lot.

**6.19.1** The Association shall have the right to withdraw or change any race prior to the drawing of entries.

**6.19.2** If a race is declared off because of insufficient entries, the Association may split any race prior to the drawing of entries.

**6.20.1** The Racing Secretary shall keep a list of all horses excluded from races because of too many entries; this list shall be known as the "Preferred List". Horses which have been excluded from races shall be given preference the next time they are entered in a similar class of race. The classes of races in regard to the Preferred List shall be set by the Racing Secretary's office before each Association's meeting and must be approved by the Stewards appointed for that meeting.

**6.20.2** The second part of an entry if running in different ownership to the first part, shall receive preference over an "in today" on the also eligible list in case the race underfills. If the entry is of the same ownership and the race underfills the second horse and the "in today" will draw to get into the race.

**6.20.3** When the name of a horse appears in the entries and it has an opportunity to start other than in a stakes race and is entered the following day with the permission of the Stewards, such entry will be deemed to be an "in today" and will be given no consideration if the maximum number of entries for the conditions of the race in question are received by the secretary's office prior to the drawing of entries.

**6.21.1** The preferred list shall be posted daily and all claims of error shall be made to the racing secretary within a reasonable time.



**6.21.2** If a horse is on the preferred list, the owner, trainer or authorized agent must so notify the entry clerk at the time of entry, who shall mark the entry "Preferred." A claim of error may be corrected by the stewards up to the time of the draw for the race.

**6.22** When a horse is sold by private or public auction or transferred, it is deemed to be sold or transferred with its engagements unless there is an agreement in writing to the contrary and an executed copy of such agreement is filed with the Racing Secretary of the association sponsoring the engagement.

**6.23.1** Nominations, entries and rights of nomination and entry of a deceased owner (other than a deceased owner of a registered partnership) shall be exercisable by, and transferable by, his or her personal representative or transferee subject to compliance with the Rules and Directives of the Commission.

**6.23.2** In the case of the death of a member of a registered partnership, such nominations, entries and rights of nomination and entry shall continue to subsist and may be exercised by the remaining partners or any of them.

**6.24** Should a horse be sold with its engagements, or any part of them, the seller shall not strike the horse out of any such engagements.

**6.25** If, when a horse is sold or transferred or deemed to be sold or transferred with its engagements, the Racing Secretary requires that evidence of such sale or transfer be submitted to him, than failure to do so shall render the horse ineligible to start in any stakes.

**6.26** No person shall make or receive the transfer of a horse or engagement for the purpose of avoiding disqualification.

**6.27** No person not having an interest in a horse, equal at least to the interest or property of any other one person, is entitled to enter the horse in a race as the owner.

**6.28** A horse shall not be entered in more than one race, including stakes, on any one day.

**6.29** A trainer shall be responsible for the eligibility of horses entered by him.

**6.30.1** An owner shall be responsible for the eligibility of horses personally entered by him.

**6.30.2** A horse shall not be eligible to start in any race unless it has been and continues to be properly entered therein, including conditions of rule 6.33. A horse which is improperly entered shall not be entitled to any part of the purse, but once the "Official" sign is posted, this rule shall in no way affect the wagering on the race.

**6.31** The nominations and entries of any person, or transfer of any nomination or entry, may be refused without either notice or reason being given.

**6.32** A horse shall not be eligible to race unless it has started in a race or completed a timed workout satisfactory to the stewards within 30 clear days of the

day of the race for which it is entered. The stewards shall determine the qualifying times for all distances, surfaces and conditions.

**6.33** Notwithstanding Rule 13.12, in the event that a horse wins and the resulting win is challenged by protest, appeal or both; then all horses which as a result of the protest or appeal might be declared the winner, shall in regard to conditions for subsequent entry, be considered to have won until the protest or appeal is decided.

**6.34** Horses on the also-eligible list are not "in today" horses. Such horses may be entered for the succeeding day and receive any preference to which they may be entitled; however, if a horse gets in a succeeding race he will be scratched out of the race in which he was also eligible. The status of such horses must be noted at the time of entry.

**6.35** The Lessor of any leased horse must be licensed by the Ontario Racing Commission or a member commission of the National Association of State Racing Commissioners before that horse is eligible to race in Ontario. This condition may be waived by the Commission upon application. Such licence does not give the holder the privilege of admission to stable area.

**6.36** Any horse that refuses to break in two races at any time shall be denied entry during the balance of the season of its second refusal. This horse will be ineligible to enter after that racing season without permission from the stewards.

**6.37** A horse shall not be eligible to start in any turf race in which the horses cross the dirt strip unless it has fulfilled at least one of the following conditions:

(a) started in such a race some time in its racing career

OR

(b) has a recorded workout on a turf course which crosses a dirt strip in the current year.

**6.38** All first life-time starters must have at least two published workouts and at least one of these workouts must be from the starting gate.

**6.39** Any horses running in the same race for owners who have a direct or indirect association in thoroughbred racing which in the opinion of the stewards could be construed as a conflict of interest, shall be coupled as an entry.

**6.40** Purses earned outside of North America will be calculated in Canadian dollars based on the current rate of exchange at the time of entry for a race. Winnings in the United States will be deemed to be at par with Canadian funds.

## Chapter 7

### DECLARATIONS AND SCRATCHES

**7.01** No horse shall be considered scratched or declared out of an engagement until the owner or his trainer or his authorized agent shall have given due notice in writing to the racing secretary before the time stipulated by the regulations of the Association. The scratching of part of an entry will be permitted

until two hours prior to post time of the race concerned, except that in races with an "Also Eligible List" it shall be permitted only until the published scratch time of the race concerned.

**7.02.1** A scratch from a stakes race shall be made no less than 45 minutes before post time of the race.

**7.02.2** In a stakes race if a horse is not named through the entry box at the time of closing for such race, the horse is automatically ineligible to start in that race.

**7.02.3** An entry of a horse in a sweepstakes is a subscription to the sweepstakes. A nomination of a horse to a sweepstakes may be altered or withdrawn at any time prior to the closing time for such nominations.

**7.03.1** The Stewards may permit the withdrawal of any horse after weighing out for any reason which may seem adequate to them in conformity with the usages of the turf.

**7.03.2** The Stewards shall have the authority to declare that a horse is not a starter if they shall determine that any occurrence before the running of such race calls for such action by them.

**7.04** The declaration or scratch of a horse out of an engagement is irrevocable.

## Chapter 8

### WEIGHTS

See also Chapter 30, Rule 30.23, 30.26, Weights for Apprentice Jockeys.

**8.01** The following weight shall be carried when not stated in the conditions of a race:

Dist.	Age	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov. Dec.
	2 Years	x	x	x	x	105	108	111	114
1/2 mile	3 Years	119	121	123	125	126	127	128	129
	4 Years	130	130	130	130	130	130	130	130
	5 Yrs. & over	130	130	130	130	130	130	130	130
	2 Years	x	x	x	x	102	105	108	111
6 fur.	3 Years	117	119	121	123	125	126	127	128
	4 Years	130	130	130	130	130	130	130	130
	5 Yrs. & over	130	130	130	130	130	130	130	130
	2 Years	x	x	x	x	x	96	99	102
1	3 Years	111	113	115	117	119	121	122	123

mile 4 Years	128	127	126	126	126	126	126	126
5Yrs. & over	128	127	126	126	126	126	126	126
3 Years	107	111	113	116	118	120	121	122
1 1/4 4 Years	127	127	126	126	126	126	126	126
miles 5 Yrs. & over	127	127	126	126	126	126	126	126
3 Years	104	108	111	114	117	119	121	122
1 1/2 4 Years	126	126	126	126	126	126	126	126
miles 5 Yrs. & over	126	126	126	126	126	126	126	126
3 Years	102	106	109	112	114	117	119	120
2 4 Years	126	126	126	126	125	125	124	124
miles 5 Yrs. & over	126	126	126	126	125	125	124	124

**8.02** The owner, trainer or authorized agent shall claim all weight allowances at the time of entry and the claimant shall be responsible should a horse be started carrying an incorrect weight and is accordingly disqualified.

**8.03** Subject to Rules 8.05.1 and 8.05.2, if a horse fails to carry his correct weight over the entire distance of the race, such horse shall be disqualified.

**8.04.1** A jockey shall declare his overweight to the clerk of the scales at a time fixed by the clerk of the scales, and the clerk shall have the overweight posted immediately on the notice board. Failure on the part of any jockey to comply with this Rule shall be reported to the stewards.

**8.04.2** Five pounds is the limit of the overweight any horse is allowed to carry but an allowance may be waived with permission of the stewards to comply with this rule. (See Rule 8.10)

**8.05.1** Each jockey shall weigh in at the same weight as he weighed out, except that a tolerance not to exceed two pounds underweight is allowed. If short by more than two pounds his mount shall be disqualified.

**8.05.2** No jockey shall weigh in at more than three pounds over the weight at which he weighted out, except insofar as such weight has been affected by the elements. Unless such weight has been affected by the elements, such jockey's mount shall be disqualified.

**8.05.3** No jockey shall, before weighing in, wilfully touch any person or thing, other than the equipment that is to be included in his weight.

**8.05.4** Each jockey shall, in weighing in, carry to the scales all pieces of equipment with which he weighed out. Thereafter he may hand them to his attendant.

**8.05.5** The Stewards shall display the official sign on the infield board promptly after:

(a) The first five horses have finished or, in the opinion of the stewards all that are capable of finishing.

(b) The Clerk of the Scales, or his assistant, has notified the stewards that all of the jockeys referred to above have been found to have weighed in with the correct weight.

**8.06** A jockey's weight shall include his clothing, boots, saddlecloth, saddle-pad, lead, pommel pad, overgirth and the saddle and its attachments. None of the following items shall be included in a jockey's weight: whip, head number, number cloth, cap, blinkers and safety helmet.

**8.07** Except in handicaps and races where the conditions expressly state to the contrary, fillies two years old shall be allowed three pounds; fillies and mares three years old or over shall be allowed five pounds before September 1 in any year, and three pounds thereafter.

**8.08** Horses penalized in a race shall not be entitled to an allowance in that race.

**8.09** Horses not entitled to the first allowance in a race shall not be entitled to the second allowance, and if not entitled to the second allowance, shall not be entitled to any subsequent allowance.

**8.10** Subject to the provisions of Rule 30.23, allowances, with the exception of the sex allowance, are optional as to all or any part of them and shall be claimed at the time of entry, but even though so claimed remain optional; penalties, however, are obligatory.

**8.11** A claim for allowance to which a horse is not entitled will not disqualify a horse unless persisted in at the weighing out.

**8.12** No allowance shall be made to a horse for not having won one or more races, provided, however, that this Rule shall not prohibit maiden allowances or allowances to horses which have not won within a specified time or which have not won races of a specified value.

**8.13** No horse shall be penalized, nor shall it be barred from any race, for having placed second or lower in any race.

**8.14** Penalties and allowances are not cumulative, unless so declared by the conditions of a race.

**8.15** No two-year-old shall compete in an all-age race before September 1 in any year.

**8.16.1** In races of shorter lengths than one-half mile, the weights for one-half mile shall be carried.

**8.16.2** In races of intermediate lengths, the weights for the next shortest distance shall be carried.

**8.16.3** In races exclusively for two-year-olds the weight shall be 122 pounds.

**8.16.4** In races exclusively for three-year-olds or four-year-olds, the weight shall be 126 pounds.

**8.16.5** The minimum weight shall be 95 pounds in any race.



**8.16.6** No allowance shall be made for geldings in any race.

## **Chapter 9**

### **JOCKEYS**

See also Chapter 30 — Apprentice Jockeys.

**9.01** Every horse shall be ridden out in a race unless it has been injured or is obviously suffering from some physical impairment, and any instructions or advice to jockeys to ride or handle their mounts otherwise than for the purpose of winning are forbidden and will subject all persons giving or following such instructions or advice to disciplinary action by the stewards.

**9.02** Every jockey who is engaged to ride in a race shall report to the scale room on the day of the race at the time required by the officials. He shall then report his engagements and overweight, if any, to the clerk or the scales.

**9.03** Every jockey shall not thereafter leave the jockey room (except to view the races from a point approved by the stewards, or to ride in a race), until all his engagements of the day have been fulfilled.

**9.04.1** The jockeys' room custodian shall see to it that no person other than the members of the Commission, authorized racing officials the Supervisor of Thoroughbred Racing and the stewards, or a designated representative of the Commission and the necessary jockeys' room attendants, is admitted to the jockeys' room on a day of racing without the express permission of the stewards or Supervisor of Racing for each time of entry.

**9.04.2** The jockeys' room custodian shall oversee the care and storage of all racing colours for the duration of a meeting, loss by fire and theft excepted.

**9.04.3** It shall be the duty of the jockeys' room custodian to see to it that order, decorum and cleanliness are maintained in the jockey and scale rooms.

**9.04.4** The jockeys' room custodian shall report to the stewards any irregularities or violation of the Rules that occur within his knowledge.

**9.05.1** In riding a race a jockey shall be neat in appearance. All riders shall be dressed in clean jockey costume, cap and jacket of silk, satin or waterproof material and stock tie, white or light breeches and top boots. In all races, jockeys shall wear safety helmets of a type approved by the Commission.

**9.05.2** The custodian shall see to it that jockeys are neat in appearance and are attired according to the Rules when they leave the jockey room to ride in a race.

**9.06** The minimum riding fees paid to jockeys shall be as agreed by the Jockeys' Benefit Association and the Horsemen's Benevolent and Protective Association. A copy of this Agreement must be filed with the Commission.

**9.07.1** A jockey's fee shall be considered earned when the horse which he has been engaged to ride leaves the saddling paddock for the post.

**9.07.2** In a dead heat where fees are computed on a percentage basis they shall be computed on the adjusted purse. If fees are on a set scale for the positions involved they shall be equally divided between the jockeys involved.

**9.08** The Association may require owners to deposit in advance a sum sufficient to cover jockeys' fees incurred.

**9.09.1** The jockeys' room custodian shall oversee the jockey valets and arrange their rotation among jockeys in the matter of weighing out.

**9.09.2** The jockeys' room custodian shall see to it that no jockey valet, not approved by the stewards, is permitted to assist any jockey at any time.

**9.09.3** Only jockeys' valets shall be permitted to assist jockeys in weighing out.

**9.09.4** No jockey shall have a valet other than one provided by the Association. Such valets shall be paid from an assessment collected from the jockeys.

**9.10.1** No jockey shall make a bet on any race nor accept a promise or token of any bet, with respect to the race in which he is riding, except through or from the owner or trainer of the horse he rides, and then only on that horse. (See also Rule 15.18).

**9.10.2** No person shall make a bet for the account of any jockey except the owner or trainer of the horse the jockey is riding, and then only on that horse.

**9.10.3** No person shall offer or give a jockey any money or other benefit in relation to a race, unless that person is the owner or trainer of the horse ridden in that race by that jockey.

**9.10.4** No outrider or jockey's valet shall make a bet on any race nor shall he place a bet for anyone else.

**9.11.1** After a race has been run and after a jockey has pulled up the horse he has ridden, he shall ride to a place below the stewards' stand and upon obtaining permission to dismount, shall do so, and unsaddle his horse and present himself to the clerk of the scales or his assistant to be weighed in.

**9.11.2** If a jockey is prevented from riding his mount to the stewards' stand because of an accident to, or illness of, either himself or his horse, he may walk or be carried to the scales, or he may be excused by the stewards from weighing in.

**9.12** Except by permission of the stewards, every jockey shall, upon returning to the stewards' stand, unsaddle the horse he has ridden, and no person shall touch such horse except by its bridle.

**9.13.1** All jockeys shall faithfully fulfill all engagements in respect to racing.

**9.13.2** Should any jockey leave Ontario or fail to honour his riding engagements, his jockey agent shall promptly notify the stewards accordingly.



**9.14.1** The suspension of a jockey for an offence shall begin on the day specified by the stewards or the Commission in the ruling.

**9.14.2** A jockey who is under suspension shall not be permitted to fulfill his engagements in any races including stakes races.

**9.14.3** A jockey temporarily suspended may be permitted to exercise or gallop horses during the morning hours and to have access to the stabling area unless otherwise stated in the suspension ruling.

**9.15.1** No jockey shall be an owner or trainer of any race horse, in whole or in part.

**9.15.2** No person shall be a trainer or part owner of any horse in which a jockey has a proprietary interest.

**9.16** A jockey shall not ride or agree to ride in any race without the consent of the owner or trainer to whom he is under contract.

**9.17** A jockey shall not ride in any race against a starter of his contract employer unless his mount and his contract employer's starter are coupled as an entry.

**9.18** The substitution of a jockey to ride any horse in a race may be made only with the approval of the stewards.

**9.19** No owner or trainer shall employ a jockey for the purpose of preventing him from riding in any race.

**9.20** No person except the jockey concerned shall assume or pay, directly or indirectly, a fine imposed upon a jockey.

**9.21** Each Association's physician shall examine all jockeys as they report for duty each day and in the event that he is of the opinion that any jockey is unfit to ride, he shall so inform the stewards, who shall excuse such jockey from all riding engagements made by him for that day and they may, in addition, take such disciplinary action as they may deem fit against such jockey.

**9.22** The Commission or the stewards may, at any time, order a thorough physical examination of any jockey by a physician appointed by the Commission and the cost of the said examination shall be borne by the jockey.

**9.23** Where a jockey's name appears on a programme, at least one of his Christian names (or a diminutive of it, for instance, "Ted" for "Theodore") shall appear before his surname.

**9.24** Every owner or trainer shall, upon making an entry, include the name of the jockey who is to ride his horse. If no jockey has been named by the time of the drawing of the entries, the stewards shall name a jockey to ride the horse and take whatever action they feel is justified within Rule 16.13.

**9.25** Signed copies of all contracts or first calls between owners and jockeys or between trainers and jockeys (including apprentice jockeys) shall be filed by the owners or the trainers, as the case may be, with the stewards as quickly as may be after they are signed. The stewards, after they have recorded the details of the

contracts, shall at once forward the signed copies to the Commission. Likewise, when such contracts are terminated, signed copies of the agreements of termination shall be filed with the stewards as quickly as may be after they are signed and the stewards, after they have recorded the details of the agreements of termination, shall at once forward the signed copies to the Commission.

**9.26** Any change of a jockey shall be approved by the stewards and promptly and publicly posted and announced.

## **Chapter 10**

### **ENGAGEMENT OF RIDERS, EMPLOYEES AND JOCKEYS' AGENTS**

**10.01** Each jockey may have one agent and no more. All engagements to ride, other than those for his contract employer, shall be made by his agent. However, a jockey not represented by an agent may make his own engagements.

**10.02** It is the responsibility of the jockey's agent to be present at the time of drawing of any program in which any of his jockeys have engagements to ride. If, in the event of mitigating circumstances, the agent is unable to be present, he must be represented by another licensed individual authorized by the agent to act on his behalf.

**10.03** Employers retaining the same jockey have precedence according to priority of the retainers as specified in the contracts.

**10.04** No jockeys' agent shall act at the same time for more than two jockeys and one apprentice jockey.

**10.05** No jockeys' agent shall make or assist in making any engagement for any rider other than those he represents.

**10.06** Jockey Agents shall not be allowed in the saddling area, the paddock or winners' circle without the permission of the Stewards.

**10.07** Jockey agents shall not communicate in any way with any jockey from the time the jockey leaves the jockey room before a race until the jockey has returned to the jockey room after the race.

**10.08** Before a jockey agent's application for a license is approved by the Commission such jockey agent shall file with the stewards a complete list of the jockeys for whom he acts as a jockey agent.

**10.09** Should any jockey agent cease to be an agent for any jockey, such jockey shall promptly notify the stewards accordingly.

**10.10** Should any jockey wish to change his jockey agent, he may do so only with the permission of the stewards.

**10.11** Should any jockey agent cease to be an agent for his last jockey, he shall within seven days after ceasing to be an agent for any jockey, either become

an agent for another jockey or deliver his license to the stewards for delivery to the Commission.

**10.12** No applicant for a jockey agent's license shall be eligible for licensing unless his past experience in thoroughbred racing is acceptable to the board of stewards or Supervisor of Racing, or the applicant has successfully completed an examination held by the board of stewards.

## **Chapter 11**

### **FROM PADDOCK TO FINISH**

See also Chapter 17, The Starter.

**11.01** A trainer shall have his horse in the paddock at the time appointed. He shall also attend his horse in the paddock, and be present to supervise its saddling, unless he has obtained permission of a steward to send another trainer as a substitute.

**11.02.1** The stewards may permit a horse to be excused from parading with the other horses and be led to the post, but such horse shall nevertheless pass the stewards' stand on its way to the post.

**11.02.2** Lead ponies and their riders shall be permitted to enter the saddling paddock or walking ring only with the permission of the stewards.

**11.03** After the horses enter the racing strip, no jockey shall dismount and no horse shall be entitled to the care of an attendant without consent of the stewards or the starter and the horse must be free of all hands other than those of the jockey or assistant starter before the starter releases the doors of the gate.

**11.04** In case of accident to a jockey or to his mount or equipment, the stewards or the starter may permit the jockey to dismount and the horse to be cared for during the delay, and may permit all jockeys to dismount and all horses to be attended during the delay.

**11.05.1** If a jockey is thrown on the way from the paddock to the post, the horse shall be remounted, returned to the point where the jockey was thrown and then ridden over the route of the parade to the post.

**11.05.2** If the jockey is so injured on the way to the post as to require another jockey, the horse may be taken to the paddock, another jockey obtained, and then ridden over any uncompleted portion of the exact route of the parade to the starting point.

**11.05.3** If a horse leaves the course while moving from paddock to post, it shall be returned to the course at the nearest practical point to that at which it left the course, and its jockey shall complete his parade to the post from the point at which it left the course.

**11.05.4** In case of a pre-start accident to a rider, horse or equipment, the starter may delay the race for such reasonable time as the stewards determine.

**11.06** In case the start of the horses at the post is delayed, the starter may permit jockeys to dismount and their mounts to be attended.

**11.07** When clear, a horse may be taken to any part of the track, but if the horse swerves or is ridden to either side so as to interfere with, intimidate or impede any other horse, it is a foul, and such horse may be disqualified.

**11.08** If in a race a horse leaves the course, it shall be disqualified.

**11.09.1** If a horse or jockey jostles another horse, the aggressor may be disqualified, unless the jostled horse or his jockey was partly at fault or the jostling was wholly caused by some other horse or jockey.

**11.09.2** During a race no jockey shall cause interference deliberately or inadvertently by striking or touching another jockey's horse or equipment.

**11.09.3** For fouling or careless riding a rider shall be fined or set down, or both, by the stewards according to the nature and seriousness of the offence.

**11.09.4** A jockey whose horse has been disqualified or who unnecessarily causes his horse to change his stride with a view to complaint may be fined or suspended.

**11.09.5** Any jockey against whom a foul is claimed shall be given the opportunity to appear before the stewards at the reviewing of the film of the race in question, or at any other time agreeable to the stewards, before any penalty is imposed by them.

**11.10** Protests under any Rule in this Chapter shall be made only by the owner, trainer or jockey of the horse alleged to be aggrieved, and shall be made to the stewards or the clerk of the scales before or immediately after weighing in. But nothing in this Chapter shall prevent the stewards from taking such action as they may see fit in accordance with the Rules.

**11.11** An owner, trainer or jockey who makes a frivolous protest may be fined or suspended.

**11.12** Stewards are vested with sole and complete power and authority to determine when a disqualification is proper and the extent of same including the other part of an entry. Their decision shall be final.

**11.13** No person shall assist a jockey in removing from his horse the equipment that is to be included in the jockey's weight, except by permission of the stewards.

**11.14** No person shall throw any covering over any horse with the exception of a decoration designed for the winning horse at the place of dismounting until the jockey has removed the equipment that is to be included in his weight.

**11.15.1** In determining the extent of disqualification of a horse in any race, the stewards may place the disqualified horse behind such horse as in their judgment the disqualified horse interfered with, or they may place it last.



**11.15.2** Where a horse of one ownership or interest is coupled with a horse or horses of the same or another ownership or interest, the disqualification of one will not necessarily affect the placing of the other.

**11.16** A horse is a starter for all purposes of the Rules when the stall doors of the starting gate open in front of it at the time the starter dispatches the horses in a valid start.

**11.17(a)** Except as provided by Rule 11.17(b) no horse shall be permitted to enter unless it has been tattooed and fully identified.

(b) Notwithstanding the provisions of rule 6.01(a) and 11.17(a) a horse from outside North America, nominated to a sweepstakes in Ontario, upon application to the stewards and upon their being satisfied that the horse is fully and properly identified may, in any calendar year, enter and start in its first race in Ontario without having been tattooed or registered with and approved by the registry office of the Jockey Club (New York).

**11.18** If the stewards are satisfied that the riding in any race was wilfully foul or that any jockey was instructed or induced so to ride, all persons reasonably suspected of complicity shall be suspended and the matter reported to the Commission.

**11.19** Permission shall be obtained from a steward to exercise a horse between races unless the horse is being warmed up on the way to and just before entering the paddock for the next race to be run. When a horse is being so warmed up before entering the paddock, his head number shall be displayed.

**11.20** In a race, each horse shall carry a conspicuous saddlecloth number and a head number, corresponding to its number on the official programme.

**11.21** The elapsed time of the post parade, starting when the first horse to race enters the racing strip from the paddock and ending when the first horse enters the starting gate, shall be determined by the stewards.

**11.22** If there is only one starter in a race, it shall be ridden past the stewards' stand, go to the post, move over the course and then be deemed the winner.

**11.23** In case of a walkover, the owner of the horse or horses walking over shall receive the earned share or shares of the purse money.

**11.24** At their discretion, the stewards may dispense with a walkover.

**11.25** When two or more horses run a dead heat, the dead heat shall not be run off.

**11.26** The owners of the horses in a dead heat shall divide equally the purse money involved.

**11.27** In a dead heat, each horse shall be considered a winner of the amount received according to the preceding rule.

**11.28** When two or more horses finish in a dead heat and a protest is made and allowed against a horse having finished in front of the dead heat, the horses

which ran the dead heat shall be deemed to have run a dead heat for the higher position.

**11.29** Owners of horses in a dead heat shall divide equally all monies and other prizes and if no agreement can be reached as to which of them shall receive a cup, plate or other indivisible prize, they shall draw lots for it in the presence of one or more of the stewards.

**11.30** If a race has been run by all the horses at the wrong weights or over a wrong course or distance and if a protest is made and allowed before the flashing of the "Official" sign on the totaliser board, the stewards shall declare the race no contest.

**11.31** Where the stewards determine, after a race has started, that a horse or horses were prevented from having a fair chance to contest a race, due to exceptional circumstances and it is deemed in the public interest to do so, such horse or horses shall be declared non-contestants and the provisions of the Race Track Supervision Regulations of the Criminal Code pertaining to refunds shall apply.

**11.32** Should there be less than five horses finish in any claiming or allowance race the finishers shall be entitled to the same percentage of the purse as set forth by the conditions of that race.

**11.33** With the exception of rule 11.34(b), in all stakes races in which there are less than five finishers, the winner shall be entitled to the winner's percentage of the purse plus all unearned portions of that purse.

**11.34** (a) In the event of a walkover in all non stakes races, the horse involved is entitled to the winner's share of the purse.

(b) In the event of a walkover in a stakes race, the horse involved is entitled to all the stakes payments and entry fees plus the winners share of all added monies.

## Chapter 12

### CLAIMING RACES

**12.01.1** In claiming races, any horse is subject to be claimed for its entered price by any owner who:

- (a) is the holder of an owner's license, in good standing from the Commission.
- (b) is at the time of the claim the owner of a horse registered for racing at that race meeting.
- (c) has started a horse at that meeting in a race prior to or in the race in which the claim is submitted, or has started a horse in Ontario within the preceding thirty (30) calendar days, or



- (d) is in possession of an open claim slip according to Rules 12.24.2(a) and 12.24.2(b) or
- (e) is eligible to claim under Rule 12.29.

**12.01.2** The word 'horse' shall mean a 'stallion', 'mare', 'gelding', 'colt', or 'filly' which is duly registered with and approved by the Registry Office of The Jockey Club of New York.

**12.02** The claiming price of each horse in a claiming race shall be the entered claiming price and shall be printed on the day's official programme.

**12.03** A claim may be made by an authorized agent but only for an owner by whom he or she is authorized. However, when making out such claim the claim slip must include that authorized agent's card number or said claim shall be voided.

**12.04** No claim shall be valid unless the claimant has a credit balance with the Horsemen's Bookkeeper in an amount sufficient to cover the claim plus any and all sales taxes applicable.

**12.05** No person shall claim his own horse or cause his own horse to be claimed directly or indirectly for his own account.

**12.06** A claim shall, in all cases, represent a bona fide offer by the claimant to buy, and on the owner to sell the horse in question at the claiming price. The stewards shall fully inquire into any and all circumstances leading them to believe that the above is not the case and shall punish violators in such manner as the facts warrant. (See Rule 12.17)

**12.07.1** No one may claim more than one horse out of any one race.

**12.07.2** Only one claim from owners having the same trainer will be allowed in any one race.

**12.08** If a horse is claimed, it shall not start in a claiming race for a period of thirty (30) clear days from the date of claim for less than twenty-five per cent (25%) more than the amount for which it was claimed.

**12.09.1** If a horse is claimed, it shall not be sold or transferred to anyone in whole or in part, except in a claiming race, for a period of thirty (30) clear days from the date of claim. It shall not, unless reclaimed, remain in the same stable or under control or management of its former owner or trainer for a like thirty (30) clear days. It shall not race outside of Ontario for a like thirty (30) clear days, except after the end of racing in Ontario in any calendar year or in a stakes race.

**12.09.2** The papers of any horse that is claimed must remain in the Racing Secretary's Office for the next thirty (30) clear days after being claimed; or until the end of the current racing season.

**12.10** All claims shall be on forms and contained in envelopes furnished by the Association.

**12.11** All claims must be signed, sealed, and the envelope time-stamped and deposited, at least 15 minutes before post time of the race in which the claim is made, in a locked box provided for this purpose and kept in the custody of the

Clerk of the Scales. The time-stamping of the envelope shall be done by the Clerk of the Scales, or his deputy, in the presence of the depositor of the claim at the time the claim is deposited in the claim box.

**12.12** Not earlier than 15 minutes before and not later than ten minutes before each race, the clerk of the scales shall open the claims' box and note on the envelope containing each claim the official post time of the race in question which he shall take from the totalisator board. Immediately thereafter and in no event later than post time of each race, he shall deliver or cause to be delivered to the stewards all claims which were in the claims' box for the race in question. No money shall accompany the claim.

**12.13** After the race has been run all claimed horses shall be transferred to the claimant or his representative in the paddock. A claimed horse, if ordered to the retention area by the Stewards, must be accompanied by the claimant or his representative along with a Security Guard who will supervise the transfer of the claimed horse from the paddock to the retention area, and the responsibility of the said Security Guard shall cease immediately the claimed horse is within the confines of the retention area. Proper conduct of the testing procedure shall be the responsibility of the Test Inspector. Notwithstanding the responsibility of the Test Inspector, the previous Owner, Trainer or their representative shall witness the taking of the test and sign the test tag.

**12.14.1** If more than one person shall enter a claim for the same horse, the disposition of the horse shall be decided by lot by one of the stewards or his deputy, and the person so determined to have the right of the claim shall become the owner of the horse.

**12.14.2** In the event that more than one claim is submitted for any horse in any race, the successful claimant shall be determined by lot (O.R.C. Rule 12.14.1) and all unsuccessful claims involved in the decision by lot shall become, at that time, null and void, notwithstanding any future disposition of such claim.

**12.15** When a horse is claimed at a recognized meeting under rules which are at variance with these Rules, title to such horse shall be recognized in Ontario to follow the rules of the jurisdiction in which the claim was made.

**12.16** Any person refusing to deliver a claimed horse shall be suspended and his case referred to the Commission and such horse shall be disqualified until it is delivered to the purchaser subject to the finding of the Commission.

**12.17** If the stewards should be of the opinion that any person is claiming a horse for the benefit of another they may require him to make an affidavit that he is not doing so.

**12.18.1** Title to a claimed horse shall vest in the successful claimant from the time the stall doors of a starting gate open in front of such horse at the time the starter dispatches the horses in a valid start for that claiming race. The successful

claimant shall take possession of the claimed horse according to the rules whether said horse is alive or dead, sound or unsound, or injured during or after the race.

**12.18.2** When a claim has been lodged it is irrevocable, and is at the risk of the claimant. The claimant is responsible for determining the sex of the horse claimed.

**12.19** Each horse shall run for the account of the person in whose name it starts.

**12.20** No person shall attempt by intimidation to prevent anyone from running a horse in any claiming race for which it is entered.

**12.21** No person shall offer or enter into an agreement to claim or not to claim or attempt to prevent another person from claiming any horse in a claiming race; nor shall any owner or trainer running horses in any claiming race make any agreement for the protection of his or any other person's horses.

**12.22** No person or persons shall enter or allow to be entered in a claiming race a horse against which any claim is held, either as mortgage, bill of sale or lien of any kind unless, when or before entering the horse, written consent of the holder of the claim shall be filed with the Racing Secretary of the Association conducting the meeting.

**12.23** If a filly or mare has been bred she is ineligible to enter into a claiming race unless either (i) or (ii) of the following conditions is fulfilled:

- (i) (a) Full disclosure of this fact is on file with the Racing Secretary and such information is posted in his office.
- (b) The breeding slip has been deposited with the Racing Secretary's Office. (All information contained on the slip shall be confidential).
- (c) All payments due for the service in question and for any live progeny resulting from that service are paid in full.
- (d) The release of the breeding slip to the successful claimant at the time of claim is guaranteed.

OR

(ii) A licensed veterinarian's certificate dated at least 40 days after the last breeding of that mare or filly is on file with the Racing Secretary's Office stating that the mare or filly is not in foal.

**12.24.1** An owner who fails to maintain at least one horse in the approved stabling area or loses all his horses by sale shall have no right to claim under Rule 12.01.1. If, however, due to the lack of stall space the racing association is unable to allot stalls for the use of an owner, that owner may apply for permission from the stewards to claim.

**12.24.2(a)** When an owner racing in Ontario has lost his last horse (12.24.3) by claiming, even though that owner may own or partially own a horse or horses elsewhere than Ontario, that owner may, provided he is otherwise eligible, have the right to claim for the next 30 racing days under an open claim slip. These 30 racing days must be held at a recognized meeting conducted under these rules

and held by the Racing Association at whose meeting that person's last horse was claimed or at any meeting of any Racing Association which is a business associate of the original association in question. The right to claim under an open claiming slip shall be null and void if the owner claims, purchases or otherwise acquires a horse prior to the expiry date of that certificate. The right to claim under the open claim in question shall be void when the expiry date of that slip has passed. Any unexpired portion of the thirty (30) racing days permitted under this rule may extend beyond that current calendar year into the next racing season. Any horse obtained under this rule may not be used as a qualifying horse under Rule 12.01.1(a), (b) or (c) in any further claim until said horse has started in a race following its having been acquired.

- (b) In order to claim under this rule the claimant must, prior to submitting a claim, complete an open claim application which must be approved by the stewards and included when submitting a claim. Should the claimant lose the shake for a horse, the open claim slip shall be returned to the claimant for his use until outdated.
- (c) The right to claim under this rule may be renewed at the discretion of the stewards. The stewards may permit the right to claim under Rule 12.24.2 if they determine that an owner's last horse is unable to race for an extended period due to physical infirmities.

**12.24.3** The stable of an owner racing in Ontario shall be deemed to consist of only those horses registered with and stabled on the grounds of an association at the time the stable was eliminated by claiming.

**12.24.4** An owner claiming under Rule 12.24.2, shall not have the right during the thirty day period to bring in to the track any horse wholly owned by him which at the time he qualified under Rule 12.24.2, was wholly or partially owned by him but was not stabled in the approved stabling area.

**12.25** When a horse has been claimed or sold and a urine or other test subsequently discloses that an improper medication or drug was administered and the stewards suspend such horse from racing, such suspension shall remain in effect until it is rescinded by the Stewards or the Commission.

**12.26** No person other than an authorized agent acting for his principal shall claim a horse for, or on behalf of any other person and, for the purposes of the claiming rules, an owner making a claim by merely executing said claim declares that he is claiming on his own account.

**12.27** No horse which is leased may be used by the lessee as a qualifying horse for the purpose of claiming.

**12.27(a)** No horse which is leased may be used by the lessee as a qualifying horse for the purpose of claiming. However, a lease from a person to a corporation, of which the majority of voting shares are owned by such person or vice versa, shall be an exception to this Rule.



- (b) With the exception that should a leased horse be claimed, the lessee at the time of the claim shall have the right to reclaim said claimed horse for the next 30 clear racing days after the date of the initial claim.

**12.28** Any purse monies shall not be released to owners for 48 hours after being won, and if a holiday immediately follows, the money shall not be released for a period of 72 hours.

**12.29** Any potential ownership which is desirous of entering racing in Ontario by claiming a horse, and does not qualify to claim a horse under Rule 12.01.1 (a), (b) and (c) may be granted the right to claim a horse under an initial claim permit, by the Commission, provided the following conditions are fulfilled: —

- (a) a payment of \$100.00 is made to the Ontario Racing Commission to initiate investigation as to that ownership's suitability to hold a license. The fee of \$100.00 will include new owner's license fee of \$25.00.
- (b) an application has been made and held pending until all necessary investigation has been completed to the satisfaction of the stewards or the Supervisor of Racing.
- (c) no attempt has been made by the potential owner to claim under this rule during the first thirty (30) clear calendar days of any racing season in Ontario.
- (d) the above right to claim shall be valid for only one horse unless the claimed horse is physically incapable of starting in Ontario during the next forty-five (45) days of being claimed, such ability shall be determined by the Commission Veterinarians.
- (e) such initial claiming permit shall be null and void if not exercised within the first sixty (60) clear calendar days of being approved by the stewards or the Supervisor of Racing.
- (f) an extension is granted into the next racing season by the Stewards or Supervisor of Thoroughbred Racing.

**12.30** Any owner who is participating in a partnership which has raced horses in the current and preceding year may be permitted to use a horse which would qualify the partnership to claim under Rule 12.01.1(b) and (c), to claim on his own behalf provided that the partnership has not entered a claim in the same race, and the owner in question qualifies to claim under all other rules of the Ontario Racing Commission. This owner shall have all the claiming rights of licensees qualifying to claim through other procedures.

**12.31** Any owner entitled to claim on his own behalf under the Ontario Racing Commission rules, is entitled to claim in a partnership with any other licensee or licensees who are entitled to claim on their own behalf.

**12.32** It is the responsibility of anyone making claim to see that the claim is properly executed. In the event the Stewards find that the claim is improperly executed, they may take any action within the Rules of Racing they deem necessary, including declaring the claim invalid.



**12.33** Should notification be received by the Stewards, from the official chemist, that a positive test has been determined on an official sample from a claimed horse, the claimant of the said horse shall have the right to request of the Stewards that the claim be declared invalid. Such request must be made within 72 hours of the claimant, his or her trainer, or authorized agent, receiving notification of the positive test from the stewards.

## **Chapter 13**

### **PROTESTS, OBJECTIONS AND APPEALS**

**13.01.1** In order to be recognized, every protest must be made by the owner, trainer, jockey or racing official to the clerk of the scales or to the stewards.

**13.01.2** Every complaint against an official shall be made to the stewards in writing signed by the complainant.

**13.02** Every protest shall be finally determined by the stewards, but an appeal may be directed to the Commission on matters of interpretation of the Rules or on any matter other than a question of fact. Notice of Appeal shall be given in writing to the Secretary-Treasurer of the Commission within ten days of the decision becoming known upon a form, copies of which shall be furnished by the Commission.

**13.03** A protest arising out of the happenings in the running of a race shall be made before the official sign has been posted.

**13.04.1** A protest on the grounds:

- (a) of misstatement, omission or error in the entry under which a horse has run; or
- (b) that a horse which ran was not the horse or was not of the age which it was represented to be at the time of entry; or
- (c) that a horse was not qualified under the conditions of the race or by reason of default; or
- (d) that a horse has run in contravention of the Rules; or
- (e) not otherwise provided in the Rules;

shall be made within 48 hours after the finish of the race with respect to which the protest is made, excluding Sunday.

**13.04.2** A protest, except one arising out of happenings in the running of a race, shall be made in writing, signed by the complainant and delivered to the stewards.

**13.05** Protests not lodged with the stewards prior to the termination of the meeting shall be made to the Commission at its principal office in Toronto.

**13.06.1** If a protest that a horse is ineligible is delivered to the stewards at least one hour before post time of the race in question, the stewards shall give such protest immediate consideration. In default of proof at least 30 minutes

before post time of the race in question that the horse is qualified to start, it may be disqualified from starting.

**13.06.2** A protest respecting the distance of a race shall be delivered to the stewards at least one hour before post time of the race in question.

**13.07** A protest alleging fraud may be delivered at any time.

**13.08** Pending the determination of a protest, any money or prize won by the owner of the horse with respect to which the protest is made, and any other money affected by the outcome of the protest, shall be withheld by the Association until the protest is determined, and if the money or the prize handed over before the protest is made the stewards shall order them returned if the protest is sustained.

**13.09.1** Before considering a protest or appeal, the stewards may require a deposit of \$50.00, which shall be forfeited to the Commission if they consider the protest or appeal to be frivolous or vexatious.

**13.09.2** A person making a protest, which the stewards decide to be frivolous, may be fined, suspended or ruled off.

**13.10** A protest shall not be withdrawn without leave of the stewards.

**13.11** All costs and expenses incurred in determining a protest or conducting an enquiry shall be paid by such person and in such proportion as the Commission or the stewards, as the case may be, may direct.

**13.12** If a protest against a horse which has won or placed is allowed, and a race or place is awarded to another horse, the money for such race shall be distributed in accordance with the final placing.

**13.13** Pending the determination of a protest, any money held by the Association as the price of a horse claimed in a claiming race (if affected by the protest) or pursuant to the provisions of Rule 13.08 shall be withheld until the protest is determined.

**13.14** When, after the posting of the "Official" sign immediately after a race has been run, a horse is disqualified as a result of a protest, or by reason of a positive urine or blood test, such disqualification shall in no way affect the wagering on the race.

**13.15** The stewards shall promptly investigate any protest or complaint properly made to them and render their decision as quickly as possible and forthwith report the subject matter of the protest or complaint and their disposition of it to the Commission. Should the stewards not have come to a decision within 72 hours of the time of the institution of the investigation, it shall be accepted by all persons concerned that the stewards have taken no action and imposed no penalty, and the stewards shall take no action and impose no penalty after the expiry of the 72 hours mentioned; provided, however, that in such case, the Commission may review the deliberations of the stewards and make such order and impose such penalties as it may deem just.

## **Chapter 14**

### **SAFETY AND SECURITY**

**14.01.1** Racing Associations shall take every reasonable precaution to make their premises safe for the protection of the persons and property of patrons and licensees.

**14.01.2** Each Association shall police its grounds at all times in such a manner as to prevent the admission of any person in and around the stables excepting those having valid business or duly licensed by the Commission.

**14.02** No Commission licensee shall be mounted on a horse on the grounds of any race track or training track unless he is wearing a safety helmet of a type approved by the stewards.

**14.03** Each Association shall have in attendance at each race track at which horses are being raced or exercised adequate man-ambulances and horse-ambulances, staffed with adequate personnel to render first aid and transport injured persons or horses to the closest place available for medical or veterinary treatment, as the case may be; such ambulances shall be placed at an entrance to the racing-strip.

## **Chapter 15**

### **ILLEGAL AND CORRUPT PRACTICES**

**15.01.1** Jockeys shall not wear spurs.

**15.01.2** Jockeys' whips shall not exceed 28 inches in length including the feathers on the whip and all whips shall have feathers attached to them in such manner as is approved by the stewards.

**15.01.3** No electrical or mechanical device or other expedient designed to increase or decrease the speed of a horse (or that would tend to do so) other than the ordinary whip, shall be possessed by any one or applied by any one to a horse at any time on the grounds of an Association during a meeting whether in a race or otherwise.

**15.02.1** No persons except physicians, Commission Veterinarians or veterinarians licensed by the Commission and their student assistants licensed by the Commission, within the grounds of a race track where race horses are lodged or kept, shall have in or upon the premises which he occupies or has the right to occupy, or in his personal property or effects, (a) any hypodermic syringe, hypodermic needle or any other device which could be used for the injection or infusion into a horse of any prohibited substance or, (b) any injectable which might be administered by a hypodermic syringe, hypodermic needle or device (known technically as a substance for parenteral administration) designed to change the form of the horse, without first securing written permission from the Supervisor of

Thoroughbred Racing or the stewards. For the purpose of this paragraph, the interpretation of injectable or changing the form of a horse shall be determined in such manner as the Commission thinks just and conformable as to the usages of the turf.

**15.02.2** A Commission Veterinarian may take samples of any medicine or other materials suspected to contain improper medication or drugs which would affect the racing condition of a horse in a race, which may be found in stables or elsewhere on the grounds of any Association or in the possession of any person connected with racing, and such samples shall be delivered to the Analyst for analysis.

**15.02.3** A horse that bleeds in a race in Ontario for the first time in any calendar year will be placed on the Bleeder List. A horse that bleeds for the second time in Ontario within 12 consecutive months from the date of being placed on the Bleeder List will be ineligible to enter or race in Ontario for six consecutive months from the date of the race in which he bled for the second time.

**15.02.4** A trainer shall not enter or start, and a Commission Veterinarian shall not pass a horse as fit, sound and ready for racing if such horse:

- (a) Has been nerved, except however,
  - (i) A horse that has had a posterior digital neurectomy may be permitted to race provided that the exact surgical site and date of the operation have been reported, recorded and the record is attached to its registration and eligibility papers.
- (b) Has impaired eyesight in both eyes.
- (c) Owners and trainers are advised that paragraph (a) (i) will be interpreted by a Commission Veterinarian and his decision will be final.
- (d) A horse has been nerved, blocked with alcohol or any other drug or medicament that desensitizes the volar or plantar nerves will be deemed to have been nerved within the meaning of this Rule.

**15.02.5** The Commission Veterinarians will record all information in connection with nerved horses on the pre-race card kept by the Commission. The information as to whether a horse has been nerved is available to licensed owners or trainers upon receiving permission from the stewards.

**15.02.6** All denerved horses must be registered with a Commission Veterinarian on forms provided by the Commission for that purpose. No unregistered denerved horses shall be entered in a race nor shall a horse be registered as denerved when in fact it has not been denerved. For failure to report a denerved horse or for reporting a horse denerved when it has not been denerved, the stewards may impose such penalties as they think proper within the limits prescribed by the Rules of Racing, and in their discretion may recommend to the Commission the imposition of more severe penalties.



**15.02.7** The Commission Veterinarians shall keep posted in the Racing Secretary's office a list of all horses denerved.

**15.02.8** Subject to Rule 15.02.1 above, if in an emergency and in the absence of all practising or Commission Veterinarians from the grounds of the Association conducting racing, it becomes necessary for any reason for the owner, trainer or attendant who has the care and control of a horse, to administer or cause to be administered orally any drug to such horse and, if at the time of such administration the horse has been entered in a race, the said owner, trainer or attendant shall report the matter fully to the Commission Veterinarian as soon as he returns to the grounds, who shall immediately report the incident in writing to the stewards or any of them as soon as one or more of them comes upon such grounds and the stewards shall scratch such horse or permit it to run as they may deem proper.

**15.03.1** Urine or Blood samples shall be taken from the winning horse of every race, and from such horses as the Stewards or a Commission Veterinarian shall direct to a minimum number for the total equal to twice the number of races scheduled on the card. Such horses shall be sent immediately after each race to the retention area. The Stewards may require at any time that any horse be sent to the retention area for the taking of such specimen of urine or blood as may be directed as well as for an examination for sponging and such other examination as may be directed. The owner, trainer or designated representative of the trainer shall be present in the retention area when any specimen are taken from a horse under his care, and shall remain until the sample tag attached to the specimen shall be signed by him as witness to the taking of specimen.

**15.03.2** The taking of the tests shall be the responsibility of the Chief Test Inspector, and those under his supervision shall perform such duties as may be assigned to them by him.

**15.03.3** Part V of the Race Track Supervision Regulations under the Criminal Code recites the procedure to be followed in the collection and identification of urine or blood specimens from horses at the tracks, and all officials shall adhere to these rules.

**15.03.4** If a Urine Inspector is unable to get a urine sample within one hour of the time the horse starts walking or the horse being tested has had a urine sample abandoned in the current racing year, the Chief Test Inspector shall contact an Ontario Racing Commission Veterinarian who will withdraw a blood sample following the prescribed procedure set down by the Canadian Department of Agriculture, provided the following conditions are adhered to:

- (a) The owner or trainer of the horse in question must sign the Ontario Racing Commission Responsibility Form.
- (b) One of the Commission Veterinarians shall draw the blood sample and it shall be collected in the prescribed manner and the sample shall be packaged and



sealed in the prescribed method and the trainer or his representative shall witness same and sign test card.

**15.03.5** All abandoned urine tests shall be reported to the stewards as soon as conveniently may be upon abandonment.

**15.03.6** No person shall be admitted to the testing enclosure except the staff immediately in charge of such work, members of the Commission, duly accredited representatives of the Canada Department of Agriculture, officials, employees and persons authorized by Urine Service Rules, the Supervisor of Thoroughbred Racing, the Stewards, any Commission Veterinarian, a representative of the Association and such other persons as may be authorized in writing by the Commission.

**15.03.7** If the stewards find that there has been improper interference or substitution in the taking of a urine specimen under Rule 15.03.1, subject to Rules 15.04.2 and 15.04.4, they shall take such action as they deem proper against any person found by them to have improperly interfered with the taking of the urine sample or substituted for the urine sample.

**15.03.8** No horse shall be allowed to race in the Province of Ontario if the permission for the taking of such blood sample is refused, unless the Commission Veterinarian, for good cause in his judgment, excuses the taking of the sample.

**15.04.1** Should the Official Chemist's report on urine, blood or other samples taken from a horse be positive, he shall forthwith notify the Stewards or Commission by telephone and this notification shall be taken as prima facie evidence of a positive test. He shall confirm such findings by special delivery prepaid mail to the Commission and Presiding Steward.

**15.04.2(a)** When the Stewards receive notification from the Official Chemist that an official sample has been found positive, they shall at once summon the trainer, or his representative, the Supervisor of Thoroughbred Racing and such security officers of the Racing Association as they choose to assist him, and inform them that a positive test has occurred.

(b) The Stewards shall direct the Supervisor of Thoroughbred Racing, or one of the security officers whom he has chosen to assist him, to accompany the trainer to the stable, and to conduct in the trainer's presence or the trainer's representative's presence, a thorough search of the trainer's barn, automobile, and any other vehicles he may have in his possession or under his control. The stewards shall continue their investigation, taking evidence from all persons, and all oral statements shall be recorded on a tape recorder.

(c) As a result of the evidence gathered, the Stewards shall inform the trainer:

- (i) that they are now prepared to hear the evidence, and that until the hearing is held he will be allowed to continue with his business, except that the horse in respect of which the positive test was obtained may not

- be entered by anyone without special authority of the Stewards or Commission, granted on application of the owner; or
- (ii) that they are now prepared to hear the evidence, and that until the hearing is held he has been suspended. In this case none of the horses in the trainer's custody shall be allowed to start until such time as the Stewards have finally disposed of the matter or until the horses have been turned over to other trainers approved by the Stewards, except that the horse in respect of which the positive test was obtained may not be entered by anyone without special authority of the Stewards or Commission, granted on application by the owner; or
  - (iii) that his case is being referred to the Commission and that until the commission hears the case he will be able to continue with his business, except that the horse in respect of which the positive test was obtained may not be entered by anyone without special authority of the Stewards or Commission, granted on application of the owner; or,
  - (iv) that his case is being referred to the Commission and that until the Commission hears the case he has been suspended. In this case none of the horses in the trainer's custody shall be allowed to start until such time as the Commission has finally disposed of the matter or until the horses have been turned over to other trainers approved by the Stewards, except that the horse in respect of which the positive test was obtained may not be entered by anyone without special authority of the Commission granted on application by the owner, until the Commission has finally disposed of the matter.
- (d) In the event that the Stewards receive notification from the Official Chemist that an official sample has contained a substance causing the sample to be classified "suspicious" the stewards shall follow the procedure outlined in 15.04.2(a) and (b) as if the sample were positive. After completing this procedure the Stewards shall investigate the circumstances and then file a summary of their investigation with the Director of the Ontario Racing Commission.
- (e) The Stewards shall inform the owner and the Racing Association concerned as expeditiously as possible of their actions regarding the situation and that a decision will be handed down by the Stewards within 72 hours.
- (f) The procedure detailed in paragraph 15.04.3 and in sub-paragraph (a) to and including (e) of paragraph 15.04.2 is also to be followed exactly when the urine or blood sample received by the official chemist is determined by him to be not entirely horse urine or blood.

**15.04.3** When a horse is found to have been administered a prohibited medication resulting in a positive test, such horse shall be declared unplaced for every purpose except pari-mutuel wagering.

**15.04.4** When the Analyst certifies that a test is positive, the owner of such horse shall be denied, or shall promptly return, as the case may be, any portion of the prize or sweepstakes and any trophy in such race. The distribution to be made by the racing association of any portion of the prize or sweepstakes and any trophy which such owner has been denied or has returned, shall be determined by an order of the Commission, after the Commission's investigation into the positive test has been completed. If a horse shall be disqualified under this rule, the eligibility of other horses which ran in such race and which have started in a subsequent race before announcement of such disqualification shall not be in any way affected. In the event that a horse establishes a track record in a race and it later develops that the horse has a positive test, then such track record shall be null and void.

**15.05** If the stewards find that any drug has been administered to a horse before a race, subject to Rules 15.04.2 and 15.04.4, they shall take such action as they may deem proper against any person found by them to have administered or attempted to administer any such drug.

**15.06.1** The trainer, groom and any other person who, in the opinion of the Stewards or the Commission, has charge, custody or care of a horse, is obliged to properly protect the horse and guard it against the administration of any harmful medicant or drug, or any medication or drug which may change or may be thought to change the form of a horse, and also to so protect the horse and guard it against wrongful interference or substitution by anyone in connection with the taking of a urine or blood sample, and if they should fail to protect and guard the horse, they will be regarded as responsible as a person who administered such medicant or drug, or wrongfully interfered or substituted in the taking of a urine or blood sample. In a case where the Stewards find a failure to properly protect the horse, subject to Rules 15.04.2 and 15.04.4, they shall impose such penalty and take such action as they deem proper, or shall immediately refer the matter to the Commission.

**15.06.2** After a hearing of the Commission or stewards, if it is determined that the horse had a positive test and that the trainer, groom, or other persons, having charge, custody or care of the horse fail to so protect the horse, and

(a) that the evidence before the Commission or Stewards leads the Commission or Stewards to find that the positive test could have been the result of feeding, or feeding in excessive quantities, a supplementary feed, and such feeding was done on the advice of a veterinarian;

AND

(b) that the veterinarian failed to advise the trainer, groom or other person having charge, custody or care of the horse that the feeding or over feeding of the supplementary feed could result in a positive test;

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such veterinarian, if licensed to practice on the track by the Commission, may have his license suspended, or be fined, as the Commission or Stewards may decide, or if not so licensed, may be refused a license as the Commission or Stewards may decide.

**15.07.1** No trainer shall employ or harbour anyone under suspension by any Racing Board or Commission which is a member or associate member of the National Association of State Racing Commissioners.

**15.07.2** A trainer shall not have in his charge or under his supervision any horse owned, in whole, or in part by a suspended or unlicensed owner.

**15.08.1** No one interested in the result of a race by reason of ownership in a participating horse, wagering or otherwise, shall act in any official capacity in connection with the running of a race.

**15.08.2** No employee of the Commission or racing official shall wager on the outcome of a race, nor shall any such employee or licensee of the Commission or employee of any Association give to anyone, directly or indirectly, for reward or any other consideration, any information or advice pertaining to a race for the purpose of influencing any person, or that would tend to do so, in the making of a wager on any horse in any race. In the case of Association employees this shall not apply to selections which appear in the official programme, newspapers, other approved publications, or over the radio, or to the selling of approved publications.

**15.09.1** Any act or omission which, when measured by generally accepted standards of good conduct; morally, financially or in business practice; would be regarded as dishonest, unfair or unsportsmanlike, or contrary to public interest, shall be deemed to be an illegal practice under these rules and shall be dealt with accordingly in the discretion of the stewards.

**15.09.2** No person shall tamper or attempt to tamper with any horse in such a way as to affect its speed in a race, or workout required by the stewards.

**15.09.3** No person shall aid, abet, counsel or conspire with any other person in the violation of the Rules and should he do so, he will be regarded as culpable as the principal.

**15.10** No person shall give, offer, or promise directly or indirectly, either on his own behalf or on behalf of another, any bribe, gift or gratuity in any form for the purpose of improperly influencing the result of a race or which would tend to do so.

**15.11** No racing official or his assistant, no owner, trainer, jockey, agent, no person having charge of or access to any race horse, nor any other person shall accept or offer to accept on his own behalf or on behalf of another, any bribe, gift or gratuity in any form to influence the result of a race or which would tend to do so.

**15.12** The Commission, all persons operating race tracks or conducting race meetings, the Supervisor of Thoroughbred Racing, any one of the stewards



and the Security Chief shall have the right to permit a person or persons authorized by any of them to enter in or upon the buildings, rooms, vehicles or other places within the grounds of any racing Association to examine, search and inspect them and the personal property and effects of any persons in or upon such places.

**15.13** Every person who is granted a license by the Commission by accepting his license, consent to the examination, search and inspection referred to in Rule 15.12, and to the seizure of any hypodermic syringes, hypodermic needles or any other device described in Rule 15.02.1, and all drugs and medicaments of any kind which might be in his possession.

**15.14** The results of any examination, search, inspection or seizure described in these Rules shall be daily reported orally to the stewards and at the end of each race meeting to the Commission in writing by the person who ordered such examination, search or inspection.

**15.15** No owner or trainer shall accept, directly or indirectly, any bribe, gift or gratuity or other benefit in any form which might influence the result of any race, or tend to do so, or which is offered for that purpose or which is offered to induce an owner or trainer to withdraw a horse from or not to enter a horse in a race. The owner or trainer shall report to the stewards the making of any such offers.

**15.16** In cases where a horse has bled during a race or a workout to the knowledge of one of the Commission Veterinarians, the horse may be pre-race medicated, provided that the administration is of a substance which is a coagulant or other medicant recognized as a treatment to stop bleeding, and is also not included in the group of prohibited medications under the Race Track Supervision Regulations of the Criminal Code. The administration of the medication must be done by a licensed veterinarian who shall report all details in writing to a Commission Veterinarian who shall pass such report to the Stewards for their approval before the horse can start.

**15.17.1** In the event the horsemen's bookkeeper accepts a deposit for any owner's account he shall keep a record of who deposits the money, and in what form the deposit is made, and have it signed by the depositor should it be other than by cheque or money order.

**15.17.2** It is the duty of the horsemen's bookkeeper to immediately notify the stewards of any unusual money transactions between horsemen's accounts that would indicate any improper procedures or disposition of funds.

**15.18** No owner, trainer, agent, groom, employee or other person shall place a wager on any other horse in any race in which he or she shall start a horse owned, trained, groomed, or in any way represented or handled by him or her as a starter; nor shall he or she cause such a wager to be placed on his or her behalf except in the case of feature wagering events where he or she may bet or cause another person to bet on his or her behalf only on combinations in which his or her



horse is selected in the win position. See Also: Rules 9.10.1 and 9.10.2 jockeys, 9.10.4 outriders valets, 15.08.2 Commission or racing officials.

**15.19** Any act which, in the opinion of the stewards, could be deemed to be an act of cruelty shall be a violation of the rules and the perpetrator is subject to a fine or suspension. Insufficient care or abandonment shall constitute cruelty under this rule.

**15.20** The stewards shall take whatever action they deem necessary if they determine there is misuse of a whip during or after the running of a race.

**15.21** Any licensee appearing before the Board of Stewards, a Steward, or the Supervisor of Racing, must answer completely and truthfully any questions relating to racing.

## **Chapter 16**

### **STEWARDS**

**16.01.1** There shall be a board of three stewards appointed by the Commission for each racing day.

**16.01.2** All questions to be decided by the stewards shall be determined by a majority vote, but honorary and associate stewards shall not vote on decisions of the stewards. If, for any reason, only two stewards are present when a vote is taken, and the vote is a tie, the senior Commission Steward shall have an extra vote to break the tie.

**16.01.3** Stewards shall not be employed by an Association in any other capacity during the time he acts as a steward. Exceptions to this rule may be authorized by the Commission.

**16.01.4** In the event of the absence of a Commission steward from duty, the remaining Commission steward shall appoint a fully qualified person to act as Commission steward for the 24 hours after the absence has become known, and inform the Chairman of the Commission of his action by the speediest possible means.

**16.02.1** Subject to the powers and duties of the Commission and the Supervisor of Thoroughbred Racing, the stewards have the power to govern, and it is their duty to regulate and govern the conduct of all racing, racing officials and owners, trainers, jockeys, grooms and all persons attendant upon horses.

**16.02.2** Subject to the powers and duties of the Commission, the stewards have power to interpret the Rules and to decide all questions not specifically covered by them.

**16.02.3** In the performance of their duties, the stewards shall have reasonable control over and unrestricted access to all buildings, stables, rooms and all other places within the grounds of any Association.

**16.02.4** In all matters pertaining to racing, the orders of the stewards shall supersede the orders of the officers, directors and officials of the Association.

**16.02.5** All entries, declarations and scratches shall be under the control and supervision of the stewards.

**16.02.6** The stewards shall assume their powers and the duties at one minute after midnight on the day before the first day of each meeting and shall hold them until one minute before midnight on the day following the last day of each meeting and no racing official who has been approved by the Commission shall absent himself from his duties without permission of the stewards.

**16.02.7** One of the stewards shall be on duty from 30 minutes before scratch time until after the drawing of post positions.

**16.03** No person while acting at a track as a medical officer, steward, director of racing, racing secretary, handicapper, starter, placing judge, patrol judge, clerk of the scales, horse identifier, paddock judge, timer, jockeys' room custodian, Commission Veterinarian, Commission Clerk, or as an assistant to any of those heretofore named shall have any interest directly or indirectly in any horse participating in racing on the circuit in which the meeting is included, or any monetary interest in any business which seeks the patronage of horsemen as such.

**16.04** It shall also be the duty of the stewards, when they deem it advisable, to take such action in advance as they may regard as necessary to prevent an infraction of the rules.

**16.05** The stewards shall take any action they deem necessary, including the warning off or ordering the ejection from the grounds of all persons who, by reason of past or present conduct would be regarded as objectionable should they find such person has in any manner or at any time:

- (a) Disturbed the peace.
- (b) Made themselves obnoxious on the grounds of any association.
- (c) Shown disrespect by word or action to any official of racing.
- (d) Falsified, misrepresented or omitted required information on a licence application.

The Racing Association shall enforce such an order.

**16.06** It is the responsibility of the stewards to get the horses to the post at post time.

**16.07** The stewards may demand proof that a horse is not disqualified in any particular race or that it is not entered, owned or trained, in whole or in part, by a disqualified person, and in default of satisfactory proof, the stewards may disqualify the horse.

**16.08** Any Steward presiding at a race meeting, or the Supervisor of Racing, may require of any owner, previous owner or trainer that he or she make a statutory declaration attesting to the bona fide ownership of a horse that is

purported to be owned, previously owned or trained by him or her. The Steward or Supervisor of Racing may also require that any business agreements or transactions, financial or otherwise, made in regard to the said horse be included in the statement.

**16.09** The stewards may examine or order a Commission Veterinarian to examine and report upon any horse on the grounds of any Association, whether or not a meeting is being held on such grounds.

**16.10** Any owner or trainer who wishes to change equipment shall apply for permission to one of the stewards at a time agreeable to the stewards and no such change shall be made without such permission.

**16.11** The stewards may place the name of any horse on the Stewards' List for any reason they may deem to be proper. During the time a horse's name is on such list, it shall not race, nor shall it be entered in any race, except that it may be nominated in a stakes race. Only the stewards shall remove a horse's name from the Stewards' List.

**16.12** The stewards shall have the authority to declare a race no contest, and any such declaration by the stewards if made after the posting of the "Official" sign shall in no way affect the wagering on the race.

**16.13** The stewards may impose any or all of the following penalties for conduct prejudicial to the best interests of racing, or for a violation of the Rules:

- (a) Refuse an offender admission to the grounds of an Association.
- (b) Expel an offender from the grounds of an Association.
- (c) Suspend any Commission licensee for any length of time or indefinitely.
- (d) Impose whatever fine they feel is suitable and justifiable.
- (e) Prohibit any Commission licensee from driving a motor vehicle in the stable area.
- (f) Revoke the licence of any Commission licensee when the said licence was obtained fraudulently or under false pretenses.
- (g) Set limitations for a conditional licence for any licensee or applicant for a new licence.

**16.14** Should the stewards consider the penalties set out in Rule 16.13 inadequate for the offence committed, they shall immediately so report in writing to the Commission, and the Commission shall determine the matter.

**16.15** No owner or trainer shall move or permit to be moved any horse owned by him or in his care from the grounds of an Association if forbidden to do so by the stewards.

**16.16** Any licensee who is the recipient of a notice of hearing form must select his or her option and complete the form within 10 days of receiving same. Failure to do so will result in the stewards setting the date of hearing and this date must be adhered to.

## Chapter 17

### THE STARTER

**17.01.1** Only the starter or in his absence the assistant starter or in the absence of both a deputy approved by the stewards may start a race.

**17.01.2** The starter shall give all orders and take all measures necessary to ensure a fair start.

**17.01.3** The starter's decision as to the validity of a start shall be final; likewise his decision as to whether or not a horse was locked in the gate shall be final.

**17.01.04** The stewards may appoint one of their number to supervise the start of any race.

**17.02** If the starter or his assistants are unable, after reasonable efforts, to place a horse in the gate for a satisfactory start, or if the horse is fractious or unruly, the starter may order that horse started outside the gate, behind the starting line. Such horse shall be placed on the starter's schooling list, and, until removed therefrom by the starter, shall not be entered.

**17.03** Horses shall take their positions in numerical order from the inside rail, that order to be determined by post positions.

**17.04** Two year olds being entered for the first time shall be first approved at the starting gate by the starter or his assistant, and such approval in writing shall be forwarded to the Racing Secretary or his assistant.

**17.05** The approval of the starter must be obtained for all horses which have never started at an Ontario track if, in the starter's opinion, the horse's record indicates that he has been in trouble at the starting gate. A horse which has refused to leave a starting gate on any race track must be schooled to the satisfaction of the stewards and the starter, before being entered in any race.

**17.06.1** The starter shall maintain a schooling list, and horses shall be schooled to barrier or starting gate, if and when required under the personal supervision of the starter or his assistants.

**17.06.2** Only the starter shall have the authority to designate the horses which shall constitute the schooling list.

**17.07.1** The starter shall file a copy of the schooling list with the racing secretary.

**17.07.2** The starter shall report to the racing secretary as soon as a horse on the list has been schooled sufficiently to be permitted to start.

**17.07.3** A horse shall not be eligible to enter or start in any race until the starter orders his name to be stricken from his schooling list.

**17.08** The starter may fine or suspend a jockey for disobedience of his orders at the starting point or for attempting any unfair advantage or for unruly conduct or for the use of abusive language. A suspension by the starter shall not



exceed ten (10) days and a fine levied by the starter shall not exceed \$200.00. Such fine and/or suspension shall be subject to the approval of the stewards.

**17.09** The starter shall report in writing to the stewards and to the racing secretary all fines and suspensions which he has imposed and no fines or suspensions, so reported, shall be modified other than by the Commission.

**17.10** All races shall be started from a starting gate approved by the Commission, but by permission of the stewards, in the event of emergency, the stewards may permit a race to be started without a starting gate, or may permit a race to be started with a starting gate with its doors open.

**17.11** When a race is started without a gate, there shall be no start until and no recall after an assistant starter has dropped his flag in answer to the direction of the starter.

**17.12** If no stall gate is used, each horse is entitled to a reasonable portion of the width of the track.

**17.13** In the event of there being more starters than the starting gate will accommodate, the surplus shall be started from outside the starting gate, and the horses to start outside the gate shall be determined by a draw. Provided however, that if any owner has more than one starter and the gate will not accommodate all starters, subject as hereinafter provided, then one of the horses from each of such entries shall start outside the gate and such one horse to be settled by draw and the remaining horses shall all be subject to the draw as to whether or not they start in the gate or outside the gate. Provided that if after the foregoing there is accommodation for one or more horses in the gate such accommodation shall be settled by draw among the horses outside the gate. All draws hereunder shall be in accordance with any general or special directions of the stewards.

**17.14** If a horse is locked in the gate the starter shall immediately notify the stewards who shall order the horse scratched.

**17.15** If any horse of an entry or any horse grouped in the mutuel field leaves the starting gate in a valid start, all horses in the entry or mutuel field will be regarded as starters, except in the case of a part of an entry or part of mutuel field which has become locked in the gate in regard to conditions for future races only.

**17.16** At all starts, Associations shall have some method of mechanically removing the starting gate from the racing strip. In addition, a tractor shall be available at the starting gate for emergencies.

**17.17** The starter and all his assistants are forbidden to exercise horses during the Ontario racing season.

**17.18** No licensee of the Commission shall offer a benefit to the Starter or any of his assistants, directly or indirectly, nor shall the Starter or any of his assistants accept any benefit from any person in this regard, whether or not such person is licensed by the Commission.



**17.19** Neither the starter nor his assistants shall mistreat or use abusive language to a jockey.

## **Chapter 18**

### **PLACING JUDGES AND PHOTOFINISH CAMERA**

**18.01.1** Two or more placing judges shall occupy the placing judges' stand at the time the horses pass the winning post in every race, and their duty shall be to place and record the first five horses in the order of finish, or as many more as they think proper.

**18.01.2** In determining the places of the horses at the finish of a race, the placing judges shall consider only the relative position of the respective noses of such horses.

**18.01.3** The placing judges shall cause to be prominently displayed the numbers of the first four horses in each race in the order to finish and shall be responsible for recording the fifth placing.

**18.01.4** The placing judges shall make public their decisions as promptly as possible.

**18.02.1** When the Placing Judges differ in their placements, the Stewards shall inspect the print prior to the official sign being posted and the decision of the Stewards shall prevail.

**18.02.2** The stewards shall confirm the decision of the placing judges as to the result of every race by declaring the result official, and the word "Official" shall be flashed or otherwise placed on the totalisator board, in a manner in which it may be clearly seen from any part of the grandstand.

**18.02.3** Nothing in the Rules shall be construed to prevent the placing judges, with the approval of the stewards, from correcting an error before the display of the "Official" sign or from recalling the "Official" sign in case it has been displayed through error.

**18.03.1** On all tracks a proper camera shall be installed as an aid to the placing judges; however, in all cases, the camera is merely an aid and the decision of the judges shall be final.

**18.03.2** Associations shall keep on file for the duration of each meeting plate or film of each race for reference or reproduction upon request of the Commission.

**18.03.3** If it is considered advisable to consult a picture from the photo finish camera, the placing judges shall post, without waiting for a picture, such placements as are in their opinions unquestionable, and, after consulting the picture, make the other placements.

**18.03.4** Photo finish photographs shall not be released to anyone for publication without permission of the stewards, except to the Association for its public display at the race track at which racing is being conducted.

## **Chapter 19**

### **RACING SECRETARY AND HANDICAPPER**

(See also the chapters on Entries — 6, Declarations and Scratches — 7 and Weights — 8)

**19.01.1** The racing secretary shall maintain all ownership records in accordance with the Rules and the Directives of the Commission.

**19.01.2** All ownerships in a horse, except a trainer's percentage of its winnings, shall be filed with the racing secretary, before the horse shall start, as also shall every subsequent change in ownership during the meeting.

**19.01.3** The holder of a claim, whether it be a mortgage, bill of sale or lien of any kind against a horse, shall file it with the racing secretary and the secretary of the Horsemen's Benevolent and Protective Association, before the horse is entered. Failure of a claimant to do so shall forfeit his rights in the winning of the horse before his claim is filed.

**19.02.1** The racing secretary shall receive all entries, scratches and declarations, and keep a complete record of all races, and keep himself informed of all names appearing on the veterinarians', stewards' and starters' lists.

**19.02.2** The racing secretary shall each morning, as soon as the entries have been closed and compiled, and the scratches and declarations have been made, post in a conspicuous place in his office a list of the entries, scratches and declarations.

**19.03** The racing secretary shall compile the official programme which shall contain the following information; the date, the number of the day of the meeting, the name of the Association and the officers and officials of the meeting, the order in which the races are to be run, the amount of each purse, the conditions and distance of each race, the post position number, name, age, colour, sex, breeding and assigned weight or any change in equipment of each horse, the name of each jockey and trainer, the name under which each owner is licensed to race and his racing colours. The programme may contain other pertinent data.

**19.03.1** All condition books, programmes and other publications of a racing association dealing with a race meeting shall have displayed in a prominent place the following words:

This race meeting is being conducted with the approval of the Ontario Racing Commission, and the Rules of Racing of the Ontario Racing Commission apply to the conduct of all races and the racing association conducting this meeting has been licensed by the Ontario Racing Commission.

**19.04** Owners entering horses that have campaigned in countries other than Canada and the United States of America shall at the time of entry deliver to the racing secretary a record of all past performances of such horses in races

wherever run in the current and next previous year for dissemination to the press and the public; provided, however, that if the owner is not in Ontario, the trainer of such horses shall comply with this Rule on his behalf. Otherwise, the entry of such horses shall not be accepted, unless with the permission of the Commission.

**19.05** The handicapper, who may be the racing secretary, shall be appointed by the Association and he shall:

- (a) Assign the weights to be carried by each horse in a handicap;
- (b) Append to the weights for every handicap the day and hour after which races won will make winners liable to weight penalties;
- (c) If there are no penalties, append that fact to the weights;
- (d) In case of omission, through error, of the name or weight of a horse duly entered, rectify the omission.

## **Chapter 20**

### **CLERK OF THE SCALES**

(See also chapter on Weights — 8)

**20.01** The clerk of the scales or his assistant shall weigh all jockey out and in.

**20.02** The clerk of the scales shall promptly report to the stewards any infraction of the Rules with respect to weight, weighing, or riding equipment.

**20.03** The clerk of the scales shall record any over-weight or any change of jockey, weight, or racing colours, as compared with those stated on the official programme and shall promptly inform the appropriate racing officials of all pertinent changes.

**20.04** The clerk of the scales shall report to the racing secretary at the end of each racing day the weights carried by each horse in each race, together with the name of each horse's jockey and the over-weight carried by any jockey. He shall also report the post time in each race and other information which may from time to time be required.

**20.05** Jockeys are required to present themselves to be weighted out at the time fixed by the clerk of the scales.

**20.06** The jockeys' room custodian shall assist the clerk of the scales in the performance of his duties.

## **Chapter 21**

### **PADDOCK JUDGE**

**21.01.1** The Paddock Judge shall be in charge of the paddock.

**21.01.2** It is the duty of the paddock judge to check all horses for every race and to have all horses properly identified.

**21.01.3** The paddock judge shall keep a record of all equipment carried by all horses in all races, permitting no change in equipment not authorized by the stewards.

**21.01.4** The paddock judge shall, in every race, require the plater in attendance in the paddock to see to it that all horses are properly shod. The paddock judge shall report immediately to the stewards the findings of the plater.

**21.02** Other duties of the paddock judge shall be such as may be assigned him from time to time by the stewards.

**21.03** The paddock judge shall report any irregularities to the stewards.

**21.04** All horses shall be saddled in the paddock or walking ring unless the stewards permit otherwise.

## **Chapter 22**

### **PATROL JUDGES**

**22.01** Each Association shall appoint two or more patrol judges who shall not have any other employment at the track other than paddock judge, and/or duties under the Racing Secretary in connection with the work of his office, during the meeting for which they are employed as Patrol Judges.

**22.02** Immediately after the running of each race, all patrol judges shall at once make an oral report to the stewards of any observed infractions of the Rules and of any observed wrong or unusual behaviour of horses or jockeys. The stewards shall receive such report before the placements are made official.

**22.03** A written report confirming, modifying or changing such oral report shall be made to the stewards and forwarded by them to the Commission.

**22.04** Each Association shall provide telephone or other approved communication between each station of the patrol judges and the stewards' stand.

**22.05** The stewards shall direct the placing of the patrol judges at points of vantage about the race track.

## **Chapter 23**

### **TIMERS AND CLOCKERS**

**23.01** There shall be one or more timers. They shall determine the official time of each race.

**23.02** When an electronic timing device is used, the races shall also be timed with stopwatches.

**23.03** The time of each race shall be announced and prominently displayed.

**23.04** A written report of the time of each race shall be made to the clerk of the scales for his report to the racing secretary.

**23.05** Before the commencement of racing each year, all timers approved by the Commission shall have all their watches tested for accuracy by a watchmaker approved by the Commission, and a certificate of accuracy shall be forwarded to the Commission before any timer assumes his duties.

**23.06** An Official Timer, to be appointed by the Association and approved by the Commission, shall attend at an Association race track daily for morning workouts, shall time all workouts at such race track and make public the length and time of the workouts.

**23.07** Every Commission licensee accompanying a horse to the racing strip for a workout shall correctly identify to the timer the horse, state the distance over which such horse is to be worked and the point on the racing strip where it is intended to start the workout.

**23.08** Clockers shall not be permitted access to the stabling area of any race track unless they are licensed by the Commission. They shall restrict their activities to such parts of the race track as may be designated by the Association concerned.

## **Chapter 24**

### **COMMISSION'S DISCRETIONARY POWERS**

(See also Chapter 16 — The Stewards)

**24.01** The Commission may impose in its absolute discretion any or all the following penalties for conduct prejudicial to the best interests of racing, or for a violation of the Rules:

- (a) Refuse an offender admission to the grounds of an Association;
- (b) Expel an offender from the grounds of an Association;
- (c) Suspend any Commission licensee for any length or time it may deem proper;
- (d) Impose a fine not exceeding \$10,000.00;
- (e) Rule an offender off the turf for any length of time it may deem proper.

**24.02** When there is no specified penalty for violations of the Rules or of the regulations of the Association, the Commission has power to disqualify, fine, suspend, expel from the course, rule off or otherwise punish.

**24.03** If any case occurs which is not or which is alleged not to be provided for by the rules, it shall be determined by the stewards or the Commission, as the case may be, in such manner as they think is in the best interests of racing.



Provided, however, the Commission in its absolute discretion may waive the breach of any of the rules which waiver or breach the Commission does not consider prejudicial to the best interests of racing.

**24.04** Fines imposed by the Commission, the stewards and the starter are payable forthwith, upon their imposition unless there has been an appeal filed. A licensee who fails to pay such a fine shall automatically become suspended on the second day following the imposition of the fine and he shall remain suspended until the fine is paid.

**24.04.1** Subject to Rule 9.14.1 penalties other than fines are effective forthwith or as of the date stated in the ruling except in the case of an appeal when they may be stayed by authority of the Commission.

**24.05** When an owner is suspended, all his horses are likewise suspended from participation in racing and the suspension of such horses will be rescinded automatically upon the expiration of the owner's suspension or by the Commission if such horses are sold in good faith to a private purchaser or at public auction.

## **Chapter 25**

### **REVIEW AND APPEAL**

See Chapter 13,

#### **PROTEST, OBJECTIONS AND APPEALS**

Rule 13.02

## **Chapter 26**

### **SUPERVISOR OF THOROUGHBRED RACING**

**26.01** The Supervisor of Thoroughbred Racing is the representative of the Commission on the grounds of an Association when it is conducting a race meeting and he shall:

- (a) In the performance of his duties, have unrestricted access to all buildings, stables, rooms and all other places within the grounds of any Association;
- (b) Issue orders in the name of the Commission, effective unless and until countermanded by the Commission;
- (c) Attend all Thoroughbred Race Meetings licensed by the Commission;
- (d) Make such reports to the Commission as he may see fit and supervise, in the performance of their duties, all Commission and Association officials and employees;
- (e) Attend meetings of the Commission as required;

- (f) Act as counsel for the Commission, when so required, in any investigation it may hold.

## **Chapter 27**

### **COMMISSION VETERINARIANS AND OTHER VETERINARIANS**

**27.01** The Veterinary staff of the Commission shall be those veterinarians appointed by the Commission from time to time to officiate at thoroughbred race meetings; in these rules all referred to as Commission Veterinarians.

**27.02** During the period of their employment the Commission Veterinarians shall not, without the approval of the Commission, diagnose, treat or prescribe for any horse, for compensation or otherwise, except in case of emergency when they may do so without compensation of any kind except out of pocket expenses.

**27.03** On the morning of each racing day, the Commission Veterinarians amongst them shall familiarize themselves with the physical condition of all horses entered for racing that day and if, in the opinion of any one of them, a horse is not fit, sound and ready for racing, he shall recommend to the stewards that it be scratched and the stewards shall take such action as they deem fit. Should the stewards place any horse on the veterinarians' list, the horse shall remain on that list until removed by a Commission Veterinarian. However, the horse shall not be removed, without express permission of the stewards, before the end of the fourth consecutive calendar day following the day it was placed on the veterinarians' list.

**27.04** A Commission Veterinarian shall be continuously in the paddock from the time the horses enter the paddock until they leave, and all horses shall be inspected by him. If in his opinion, any horse is not fit, sound and ready for racing, he shall recommend to the stewards that it be scratched and the stewards shall take such action as they deem fit.

**27.05** A Commission Veterinarian shall inspect all horses at the starting point of each race. If in his opinion, any horse is not fit, sound and ready for racing, he shall recommend to the stewards that it be scratched and the stewards shall take such action as they deem fit.

**27.06** A Commission Veterinarian shall inspect all horses which have been involved in an accident after leaving the paddock for the start, during the race or while pulling up as quickly as possible after the accident and provide appropriate emergency treatment.

**27.07** If in the opinion of a Commission Veterinarian an injured horse should be destroyed, he shall destroy the horse quickly, humanely, and out of sight of the public unless any delay will prolong the suffering of the horse.

**27.08** Commission Veterinarians shall keep a list to be called the Commission Veterinarians' List (colloquially "the Vets' List") upon which shall be

entered the name of any horse which any Commission Veterinarian considers unfit, unsound or not ready for racing. When the stewards order a horse scratched for reasons having to do with the physical condition of the horse, it shall be placed on the Vets' List. During the time a horse's name is on such list, it shall not race in Ontario, nor shall it be entered in any race, except that it may be nominated in a stakes race. Only a Commission Veterinarian shall remove a horse's name from the Vets' List and shall do so only when, in his opinion, the horse is fit, sound and ready for racing.

**27.09** Any owner or trainer whose horse has been placed on the Commission Veterinarians' List may apply at any time to a Commission Veterinarian for his examination of such horse, and such examination shall be conducted within 24 hours of the request for it, provided that the horse is stabled at a convenient track.

**27.10** A Commission Veterinarian shall observe the horse so examined standing in its stall, walking and trotting. Should the horseman require the horse to be trotted on a racing-strip, this shall be done, and should the horseman require the horse to be worked on a racing-strip, this shall likewise be done.

**27.11** A Commission Veterinarian shall not require a horse to be worked on a racing-strip for more than three furlongs, but if a horseman wishes his horse worked for a longer distance, this shall be done.

**27.12** Such horse shall be observed at the end of the work, if any, and cooling out, and the Commission Veterinarian shall then inform the horseman that his horse is to remain on the Commission Veterinarians' List or when it will be removed from this list, as the case may be.

**27.13** A Commission Veterinarian may be instructed to make a full written report of the Commission Veterinarians' activities and any recommendations he deems advisable, as required by the Commission, and a copy of such report shall be delivered to the stewards.

**27.14** In the interest of equine health, and in connection with horses being shipped into any Ontario race track, a Commission Veterinarian may examine any horse at his discretion after advising the trainer or person in charge of such horse of his intention to do so.

**27.15** Veterinarians licensed by the Commission shall keep complete records of their administration of any medicament to any horse campaigning in Ontario.

**27.16** These records shall show the name and tattoo number of the horse, the names of the owner and trainer, the date and time of the administration of the drug or medicament and the nature of the medicament administered.

**27.17** Such veterinarians may use a code word for the nature of the drug or medicament administered.

**27.18** Such records may be inspected only by Commission Veterinarians.

**27.19** It shall be the duty of a veterinarian licensed by the Commission to ascertain from the owner or trainer prior to treating any horse (except in an emergency) if the horse in question is or will be entered to race during the period of time in which any medication given by him (or her) or directed by him (or her) to be given might in light of current Equine Veterinary Research affect any post race urine or blood test, resulting in a positive test. If such should be the case it is the veterinarian's duty to warn the owner or trainer of this situation.

**27.20** Any veterinarian who is licensed by the Commission may be held wholly or partially responsible, if medication given by him (or her) or medication given under direction from him (or her) shall, in the opinion of the Commission, be responsible for a positive urine or blood test.

**27.21** Should any veterinarian licensed by the Commission be guilty of any offence against Rule 27.19 or 27.20 or be guilty of any actions that would be considered a breach of ethics by the veterinary profession, that veterinarian shall be fined by the stewards or referred to the Commission for disciplinary action under the Rules of Thoroughbred Racing.

## **Chapter 28**

### **OUTRIDERS**

**28.01** There shall be two or more outriders at all tracks while racing is being conducted and one of them shall be on duty during training hours. Exceptions to this rule will require the authorization of the Commission.

**28.02** An outrider shall not have any other employment during the meeting for which he is employed.

**28.03** Clothing of outriders shall be provided by the Association and shall be kept clean and neat.

## **Chapter 29**

### **TRAINERS**

**29.01** A trainer must register with the racing secretary of each Association all horses in his charge, stating the name, colour, sex, age and breeding of each and the name of the owner. Such registration may be made by the owner or authorized agent but in all cases the name of both owner and trainer must be given.

**29.02.1** A trainer may represent the owner in the matter of all entries, scratches, declarations and the engagement of jockeys, veterinarians and tradesmen. (Attention Rule 6.10.3)

**29.02.2** An owner wishing to deny or restrict the authorization given under

Rule 29.02.1 shall give notice of his intentions to the trainer and to the stewards, such notice shall be by personal service or registered mail.

**29.03** If a trainer is to be absent from the track where his horses are participating in races, he must obtain a licensed trainer to substitute for him during his absence. Such a substitute trainer must be approved by the stewards upon forms approved by the Racing Commission. The original trainer is responsible for the horses he has entered prior to his absence from the track. The substitute trainer will then become responsible for any additional horses entered by either trainer.

**29.04** A trainer shall be responsible for the condition of a horse trained by him and it shall constitute an offence for a trainer to knowingly enter a horse that is unfit.

**29.05** Upon any occupational licensee leaving an owner's or trainer's employ, the said employer shall notify the Commission Agent accordingly, who in turn shall inform the Security Chief. It shall be an offence for a trainer to employ unlicensed help.

**29.06** If an owner changes his trainer he shall notify the racing secretary and cause the new trainer to sign his name on the owner's registration. This shall be done only after the stewards have approved the transfer authorization, having satisfied themselves that obligations regarding finances have been met.

**29.07** For racing, all horses, shall be shod with racing plates, unless otherwise permitted by the stewards.

## **Chapter 30**

### **APPRENTICE JOCKEYS**

**30.01** Apprentice jockeys shall be bound by all the Rules for jockeys, except insofar as the Rules may be in conflict with the Rules for apprentices in this Chapter.

**30.02** Apprentice Jockey contracts made in Ontario shall be executed by all parties in quadruplicate. Such contracts shall be reviewed by the stewards and they shall make any recommendations they deem proper. One copy of the contract shall be kept on file in the office of the Supervisor of Racing, one copy delivered to the apprentice jockey, one copy delivered to the contract holder, and one copy sent to the Commission office. Ratification of the said contract may be given or refused by the Racing Commission.

**30.03** A copy of all apprentice jockey contracts or certificates, wherever made, shall be filed with the Commission.

**30.04** Upon the assignment of any apprentice jockey contract, a memorandum of such assignment shall be recorded with the Commission by both the assignor and the assignee forthwith upon the execution of such assignment.



**30.05(a)** Before the execution or assignment of any apprentice jockey contract is of recognized validity in Ontario, it shall be approved by the stewards or Supervisor of Racing, after any recommendations desired have been made. The stewards may deny approval if, in their opinion, the owner or trainer concerned is not in possession or control of such a stable of horses as warrants the employment of an apprentice jockey or for any other reason they deem fit and proper. The action of ratifying or refusing to ratify the said contract may be carried out by the Commission.

(b) For the purposes of this Rule, the association of another person or persons in partnership with the employer of an apprentice jockey shall not be deemed to be an assignment of an apprentice jockey contract unless the partnership papers specifically so provide and a copy is filed with the Commission.

(c) When two or more persons have associated themselves in partnership as employers of an apprentice jockey, only one of such persons, as they may decide, between or amongst them (and they shall notify the Commission accordingly) shall have the benefit of such apprentice jockey riding without payment of a mount fee, and the benefit of all apprentice weight allowance to which a contract employer is entitled and the other persons shall pay the appropriate mount fee, and shall not be entitled to the apprentice weight allowance to which a contract employer is entitled, provided however, that this sub-section shall not apply if the horses concerned are owned in partnership by such persons.

**30.06** No apprentice jockey contract shall be terminated until the stewards declare it is terminated under any terms or conditions they see fit to order. The ratification of the cancellation of the said contract may be given or refused by the Commission.

**30.07** Apprentice jockey contracts or certificates entered into for three years may be renewed for a further period of two years or less on the approval of the stewards or Supervisor of Racing.

**30.08** A first application for an apprentice jockey's license shall be accompanied by:

(a) Evidence that the applicant has had at least one year's experience with a racing stable which is acceptable to the stewards.

(b) His birth certificate or acceptable proof of his date of birth.

**30.09** No apprentice jockey shall ride for anyone other than his contract employer without such employer's consent. Notwithstanding this, an apprentice jockey holding a certificate is free to accept mounts at his own discretion.

**30.10** The holder of the contract at the time the apprentice jockey rides his fifth winner shall be considered the original contract employer.

**30.11** No apprentice shall ride in a race for two-year-olds without permission of the stewards.

**30.12** No apprentice shall carry a whip in a race until he has ridden in at least five races and then only with the permission of the stewards.

**30.13** When an owner or trainer who has an apprentice contract takes his stable of horses outside Ontario, the apprentice jockey under contract with him can only ride in Ontario if the apprentice jockey contract is leased to another owner or trainer with the approval of the Commission, and such lease may be for any time to which the parties agree.

**30.14** Apprentice jockey contracts made in the name of a partnership shall be signed by all members of the partnership.

**30.15** No race not reported in The Daily Racing Form or a comparable domestic or foreign publication shall be considered in determining the allowance to which an apprentice jockey is entitled.

**30.16** Upon an apprentice jockey losing all rights to claim an apprentice jockey allowance, he shall not ride again without the permission of the stewards until he has been granted a jockey license by the Commission.

**30.17** No licensed owner shall have more than one apprentice jockey, unless permitted to do so by the Commission.

**30.18** Upon the death of an apprentice jockey, the apprentice jockey contract shall be null and void and of no effect; upon the death of the contract employer, the apprentice jockey contract shall be considered an asset of the Estate of the deceased contract employer.

**30.19** Any person holding an apprentice jockey's license, under a certificate or contract, may claim in all overnight races, except handicaps, the following allowances:

- (a) Ten pounds until he has ridden five winners, thereafter seven pounds when riding for his contract employer or five pounds otherwise for one year from the date of his fifth winner. If by the end of that year he has not ridden a total of forty-five winners the allowance will continue for three years from the date of his fifth winner or until he has ridden a total of forty-five winners, whichever happens first.
- (b) Three pounds for an additional calendar year, after the allowance mentioned in part (a) of this Rule has expired if he is riding for his original contract employer, provided his contract has not been permanently transferred or sold since he rode his fifth winner.

**30.20** A time allowance in addition to one calendar year from his fifth winner will be made for an apprentice jockey who does not accept riding engagements after the end of the Ontario season. In such case, he will receive a time allowance equal to the number of days from the close of one season's racing in Ontario to the opening of the next season's racing in Ontario;

- (a) Provided the apprentice jockey has ridden his first and fifth winners during the course of a single 12 month period;

(b) And provided, the time allowance shall not extend beyond the next racing season following the date of his fifth winner.

**30.21** Any apprentice jockey licensed by the Commission who is injured in the course of his duties and becomes incapable of riding for a period of at least twenty one (21) days; or any such jockey who becomes incapable of riding for a period of 21 days or more as a result of an illness or accident over which he or she has no control, is entitled to an extension of the same duration. This claim for an extension must be accompanied by a doctor's certificate stating said injury or accident had prevented the apprentice jockey from pursuing his profession for a specific period of time. Any apprentice jockey who is prevented from riding as a result of a restriction on racing may apply for an extension for the period of time that racing was restricted. Said extension shall be granted at the discretion of the stewards or Supervisor of Racing. Ratification for said extension may be given or refused by the Commission.

**30.22** The allowances mentioned in Rule 30.19 for the contract employer may be claimed when the apprentice is riding horses which are owned by the holder of the apprentice contract but may not be claimed when the apprentice is riding horses trained by the contract employer but owned by someone else.

**30.23** Allowances made under this Chapter must be claimed at the time of entry, and the owner concerned shall not abandon any allowance to which an apprentice is entitled without permission of the stewards, who may grant or withhold such permission as they may deem proper. Such allowances shall be designated on the entry sheets as follows:

3 pounds		7 pounds	XX
5 pounds	X	10 pounds	XXX

**30.24** Subject to Rule 4.04.2 and in lieu of a contract the stewards or Supervisor of Racing, at their discretion, may grant a certificate to any person who qualifies under the conditions set forth for an individual to be licensed as an apprentice jockey. Ratification may be given or refused by the Commission.

**30.25** The granting of the certificate shall permit the holder to be licensed as a free-lance apprentice jockey and shall be approved by the Stewards or Supervisor of Racing only after the applicant has displayed acceptable qualifications. Ratification of the said certificate may be given or refused by the Racing Commission.

**30.26** Upon compliance with these requirements, an apprentice jockey certificate will entitle the holder to claim the following weight allowances in all overnight races, except handicaps:

- (a) 10 pounds for the first five winners.
- (b) 5 pounds for the next forty winners or for one year from the date of his fifth winner, whichever happens last.
- (c) If in that year he has not ridden forty winners, the allowance will continue for

three years from the date of his fifth winner, or until he has ridden forty winners, whichever happens first.

**30.27** Nothing in the Rules of Racing pertaining to Apprentice Jockeys is intended to prevent an Apprentice Jockey who is in possession of a certificate from contracting his services to a licensed owner or trainer for the duration of the life of the certificate. Upon approval of the Commission, the certificate may be cancelled and the provisions of the contract recognized. Provided the contract has been executed prior to the Apprentice Jockey having ridden his fifth winner, he may then claim seven pounds when riding horses owned by the contract holder.

**30.28** Provisions of contracts and certificates previously in force in Ontario and elsewhere will be recognized by the Commission.

**30.29** All rights and privileges to an apprentice jockey presently covered by the apprentice rules shall be applicable to the holder of a certificate.

## **Chapter 31**

### **STABLE NAMES**

**31.01** Stable names or changes of stable names shall be registered with the Commission.

**31.02** A stable name shall not be used unless annually registered and remains in effect only during the year for which the fee is paid.

**31.03** A stable name may be changed at any time by registering a new stable name.

**31.04** No one shall register as his stable name one which has been already registered by any other person, or the real name of any other owner of race horses, nor one which is the real or assumed name of any prominent person not owning race horses.

**31.05** Any person who has registered a stable name may, at any time, abandon it by giving written notice at the office of the Commission, after which all entries which have been made in the stable name shall be altered to the real name of the owner.

**31.06** A trainer, who is a licensed owner or part owner, may register a stable name as owner or part owner. See also Rule 4.09.

**31.07** Upon request to the Racing Commission and/or the Racing Association, the real names of persons who race under stable names shall be disclosed and the Racing Commission shall cause a list of all stable names currently granted by the Commission and the persons who race under such stable names to be kept up to date.

**31.08** A person can have only one stable name at anytime, and so long as he has a registered stable name he shall not race any horse except under that



name, with the exception that an owner may race under his own name and be involved as a partner in one stable name.

**31.09** If the horses of a partnership are to be run in the name of a member of a partnership, such name need not be registered as a stable name, but all horses of the partnership must be run under that name.

**31.10** A stable name shall be plainly distinguishable from that of another duly registered stable name.

**31.11** A corporate name shall be considered as a stable name for the purposes of the Rules but the Commission reserves the right to refuse any corporation the privilege of registering a stable name.

**31.12** No stable name shall be used for advertising or commercial purposes.

## **Chapter 32**

### **PARTNERSHIPS**

**32.01** Partnerships or changes in partnerships shall be registered with the Commission.

**32.02** Partnership papers shall, among other things, set forth the following:

- (a) The name and address of every person having any interest in the horses involved;
- (b) The relative proportions of such interests;
- (c) To whom the winnings are payable;
- (d) In whose name the horses shall run;
- (e) With whom the power of entry, scratches and declaration rests;
- (f) The terms of any contingency, lease or other similar arrangement.

**32.03** All partnership registration papers shall be signed by all parties or their authorized agents.

**32.04** In case of emergency, authority to sign declarations of partnership may be given to the Supervisor of Thoroughbred Racing by telegram which in his discretion he may accept provided that the Commission may subsequently revoke the registration if the forms referred to in Rules 32.01, 32.02, and 32.03 are not filed within two weeks of the receipt of the said telegram.

**32.05** Notwithstanding the provisions in the Rules or in any partnership registered with the Commission pursuant to such Rules, winnings of a partnership may, subject to lawful assignment or court order, be made by a racing association to such member or members of the partnership as, according to the documents the racing association has received from the Commission, appear to be the member or members of the partnership entitled to be paid such winnings, and such payment shall constitute valid payment of partnership winnings.

**32.06** The part owner of any horse shall not sell or assign his share of any



part of it without the written consent of the other partners and such consent shall be filed with the Commission.

**32.07** An alteration in a recorded partnership registration, to be effective, shall be reported in writing to the Commission and signed by all the partners or their authorized agents.

**32.08** All parties to a partnership and each of them shall be jointly and severally liable for all stakes, and other obligations.

**32.09(a)** When no more than 4 individual persons own a horse or horses, each individual must own a minimum of 15% of each horse and they all must be licensed as an owner.

- (b) When more than 4 individual persons own a horse or horses through a partnership, corporation, syndicate or other joint venture, such persons must designate in writing a major shareholder of the partnership, corporation, syndicate, or other joint venture, to represent the entire ownership of and be responsible for such horse or horses as the licensed owner thereof. In addition to this representative, 3 other major shareholders only may be licensed as owners and have right of entry to the stable area including paddock, saddling area and winners' circle. However, all other persons sharing in the partnership, corporation, syndicate or other joint venture must be licensed; such license will not be valid in the stable areas.
- (c) Documentation, including the conditions and agreements of the partnership, corporation, syndicate, or other joint venture referred to in Rule 32.09(b) shall accompany the application for owner's license submitted by the major shareholder and must be on file with the stewards prior to the horse or horses being brought on to the association grounds. Such documentation must include a list of all shareholders, showing their percentage of ownership, and a copy of any lease or leases applicable to the horse or horses.
- (d) The program listing of a horse licensed under Rule 32.09(b) shall be in the name of the designated member representing the ownership plus "and associates".
- (e) Any partnership, corporation, syndicate or other joint venture in which any participant is not eligible for licensing shall itself not be eligible to race any horse until the ineligible individual completely disassociates himself or herself from the partnership, corporation, syndicate or other joint venture.

**32.10** Any claim not signed by all members of a partnership shall not be recognized unless the partnership has licensed with the Ontario Racing Commission an authorized agent with the power to claim on that partnership's behalf and said agent has signed the claim in question.

**32.11** If the members of a registered partnership decide to race their horse or horses in a single designated name, the name and the phrase “and partner(s)” shall be carried on the daily racing program.

## **Chapter 33**

### **AUTHORIZED AGENTS**

**33.01** All documents by which an owner appoints an authorized agent shall be registered with the Commission.

**33.02** Any change in or revocation of such appointment shall be in writing and signed by the owner and shall not be effective until filed with the Commission.

**33.03** Notwithstanding any provisions contained in the rules of racing, as between an owner and any Racing Association, a document appointing an authorized agent which has been registered with the Commission, shall remain in full force and effect until December 31 of the current calendar year, or until notice in writing of its revocation has been received by such Racing Association from the Commission, whichever shall first occur.

**33.04** Persons appointed as Authorized Agents, unless otherwise licensed by the Commission — shall be licensed as Authorized Agents.

## **Chapter 34**

### **CANADIAN-BRED HORSES**

**34.01** In all races except handicaps and races where conditions expressly state to the contrary, a weight allowance of five pounds will be made for Canadian-bred two- and three-year-olds, and three pounds for older Canadian-bred horses.

**34.02** Canadian-bred horses, to be eligible to enter and start in Canadian-bred races, or to receive Canadian-bred weight allowances in other races, shall have their Canadian National Live Stock Records registration papers, or recorder numbers thereof, on file with the Association and the trainers of such horses shall be responsible for filing such papers or such recorded numbers.

## **Chapter 35**

### **VISUAL ACUITY AND COLOUR BLINDNESS TESTS**

**35.01** Each year, before commencing their duties, the following officials shall have their eyes tested for visual acuity, with the naked eye, with eye glasses, if required, and for colour blindness: The Supervisor of Thoroughbred Racing, the Stewards, the Starter, the Patrol Judges, the Placing Judges and the Timer.

## Quarter Horse Racing

Pari-mutuel Quarter Horse Racing shall be governed by the Rules of Thoroughbred Racing 1981, with the following exceptions:

### Claiming Races:

Chapter 12 of the Rules of Thoroughbred Racing 1981 will not apply to Quarter Horse Racing and the following Chapter is promulgated in substitution:

**12.01.1** In claiming races, any horse is subject to claim for its entered price by any owner who—

- (a) is a member in good standing of any recognized Quarter Horse Association and
- (b) is an owner of a Quarter Horse registered with the American Quarter Horse Association and currently registered in the name of the claimant or his or her immediate family.

**12.01.2** The word “horse” shall mean a “stallion”, “gelding”, “mare”, “colt” or “filly” which is duly registered with the American Quarter Horse Association, Amarillo, Texas.

**12.04** No claim shall be valid unless the claimant has a credit balance with the Horsemen’s Bookkeeper in an amount sufficient to cover the claim, plus any and all sales taxes applicable, or has deposited with the Horsemen’s Bookkeeper prior to submitting the claim, a certified cheque drawn on a Canadian Bank and in the amount to cover the cost of the claim plus any and all sales taxes applicable.

**12.09** If a horse is claimed it shall not be sold or transferred to anyone in whole or in part, except in a claiming race, for a period of thirty (30) days from the date of claim, nor shall it, unless reclaimed, remain in the same stable or under the control or management of its former owner or trainer for a like period, nor shall it race outside Ontario until after the termination of the meeting at which the horse was claimed.

**12.22** No person or persons shall enter or allow to be entered in a claiming race a horse against which any claim is held, either as mortgage, bill of sale or lien of any kind unless, when or before entering the horse, written consent of the holder of the claim shall be filed with the Racing Secretary of the Association conducting the meeting.

**12.26** No person other than an authorized agent acting for his principal shall claim a horse for, or on behalf of any other person and, for the purposes of the claiming rules, an owner making a claim by merely executing said claim declares that he is claiming on his own account.

**12.27** No horse which is leased may be used by the lessee as a qualifying horse for the purpose of claiming.

**12.28** Any purse monies shall not be released to owners for 48 hours after being won, and if a holiday immediately follows, the money shall not be released for a period of 72 hours.

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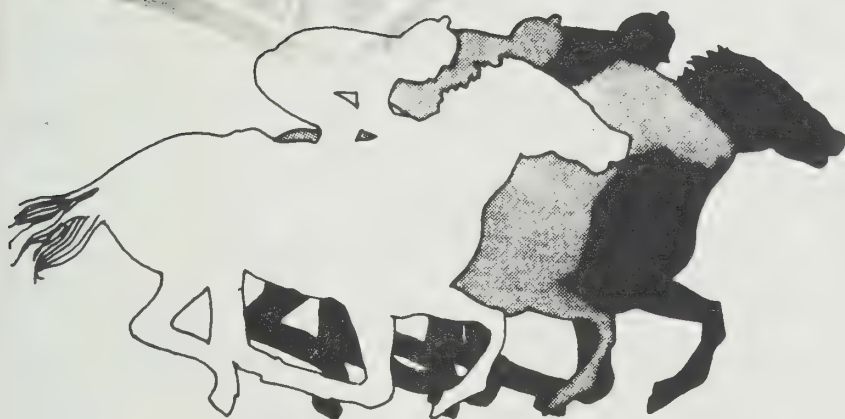
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# Thoroughbred Racing

(With Quarterhorse Appendage)

JUL 29 1984



**Ontario Racing  
Commission  
1984**

# ONTARIO RACING COMMISSION

10 Wellesley Street, East

Toronto, Ontario

M7A 2K1

416/963-0520

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T. E. Yates

*Vice-Chairman*

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*Members*

W. R. MCDONNELL

*Director*

DR. R. F. ROELOFSON

*Supervisor of Thoroughbred Racing*

D. V. VACCARI

*Secretary-Treasurer*

## FOREWORD

No sport is more closely supervised than the racing of thoroughbred horses. The main purposes of this close supervision are to assure the spectator public and competing owners of horses:

1. That the association conducting a race meeting is operated by responsible management;
2. That every owner and trainer seeking to enter a horse in competition is a person of good character and of financial responsibility.
3. That every horse appearing in a race is the animal he is represented to be on the program; is carrying the correct weight as assigned by the track handicapper; and wearing the colors of the owner in whose name the horse is being run;
4. That every race run will represent a true competitive effort by every participating horse and rider;
5. That no rider, during the running of a race commits any act that would unfairly tend to make the race anything other than a true competitive test;
6. That every horse is physically fit to race;
7. That no one responsible for the custody of a competing horse has administered or permitted to be administered any forbidden medication to the competing animal;
8. That every racing association is doing its utmost to provide the spectator public, the horses and their attendants the best possible facilities it can afford;
9. That the wagering facilities and the management and clerks in this department are of an order to inspire confidence of the patrons in the way this feature of the sport is conducted.

It is with the foregoing purposes in mind that the Legislatures of the provinces and the states where thoroughbred racing is conducted, have, by statute created Racing Commissions, and vested them with the authority to adopt and enforce Rules of thoroughbred racing.

The Ontario Racing Commission is an independent agency of government created by an act of the Legislature of Ontario.

The Commission consists of seven members appointed by the Lieutenant-Governor-in-Council.

The Commission is vested with power to govern, direct, control and regulate horse racing in Ontario.

No person or association can conduct a race meeting or have anything to do with the conduct of such a meeting except pursuant to a license granted and issued by the Commission.

The Commission is vested by law with full authority to prescribe the rules,

regulations and conditions under which thoroughbred racing may be conducted in this province.

For the full text of the law creating the Commission and prescribing its duties and powers see The Racing Commission Act, R.S.O. 1980, Chapter 429; as amended.

# RULES OF THOROUGHBRED RACING

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## **The Racing Commission Act**

### **Revised Statutes of Ontario, 1980 as amended**

1. In this Act,

- (a) "Commission" means the Ontario Racing Commission;
- (b) "Minister" means the member of the Executive Council to whom the administration of this Act is assigned by the Lieutenant Governor in Council. R.S.O. 1980, c. 429, s. 1.

2. The body corporate known as the Ontario Racing Commission, established under *The Racing Commission Act, 1950*, is continued and shall be composed of not fewer than three and not more than seven members appointed by the Lieutenant Governor in Council. R.S.O. 1980, c. 429, s. 2.

3. The objects of the Commission are to govern, direct, control and regulate horse racing in Ontario in any or all of its forms. R.S.O. 1980, c. 429, s. 3.

4. The members of the Commission shall hold office for a term of not more than three years, but any person is eligible for reappointment. R.S.O. 1980, c. 429, s. 4.

5. (1) The Lieutenant Governor in Council shall name one of the members to be the chairman and one of the members to be the vice-chairman.

(2) When the office of chairman is vacant or in the absence of the chairman, the vice-chairman shall act in his place and stead. R.S.O. 1980, c. 429, s. 5.

6. (1) At any meeting of the Commission a majority of the members constitutes a quorum, and a majority vote of the members present at any meeting of the Commission determines any question.

(2) The chairman has a casting vote in addition to his ordinary vote. R.S.O. 1980, c. 429, s. 6.

7. The Lieutenant Governor in Council may fill any vacancy that occurs in the membership of the Commission. R.S.O. 1980, c. 429, s. 7.

8. The Lieutenant Governor in Council shall fix the salaries of the chairman, the vice-chairman and the other members of the Commission. R.S.O. 1980, c. 429, s. 8; 1973, c. 116, s. 1.

9. Repealed.

10. The salaries and expenses of the members of the Commission and of the officers, clerks and other employees thereof, and generally all costs, charges and expenses incurred and payable in respect of the carrying out of this Act, shall be paid out of the monies appropriated therefor by the Legislature. R.S.O. 1980, c. 429, s. 10.

11. The Commission has power,

- (a) to govern, direct, control and regulate horse racing in Ontario in any or all of its forms;

- (b) to govern, control and regulate the operation of race tracks in Ontario at which any form of horse racing is carried on;
- (c) to hold hearings relating to the carrying out of its objects or powers, and to summon any person by subpoena signed by the chairman or by any other member of the Commission, and to require such person to give evidence on oath and to produce such documents and things as the Commission considers requisite in any such hearing;
- (d) to enforce the carrying out and observance of all regulations, rules and conditions established under this Act, by a fine or other penalty or otherwise;
- (e) to make by-laws for the conduct of its business and for the control and direction of its work;
- (f) to license persons to operate race tracks at which horse racing in any of its forms is carried on and to impose such terms and conditions on a licence as the Commission considers expedient;
- (g) to license owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen and such other persons in or about race tracks at which horse racing in any of its forms is carried on, and to impose such terms and conditions on a licence, as the Commission considers expedient;
- (h) to fix and collect fees or other charges for licences, prescribe the form thereof and the conditions under which they may be issued;
- (i) to refuse to grant any licence or to suspend or revoke any licence for conduct that the Commission considers to be contrary to the public interest;
- (j) to require registration with the Commission of, and to register colours, assumed names, partnerships and contracts and such other matters and things as the Commission considers expedient;
- (k) to fix and collect fees or other charges for registration under clause *j* and to prescribe the form thereof and the conditions under which registration may be made;
- (l) to make and promulgate rules for the conduct of horse racing in any of its forms;
- (m) to employ stewards, veterinarians, analysts, secretarial assistants, judges and such other persons as the Commission considers expedient to attend at race meetings on behalf of the Commission;
- (n) to require approval by the Commission of the appointment of race track officials and employees whose duties relate to the actual running of horse races and to compel the discharge for cause of any such official or employee;

- (o) to fix, impose and collect fines and other penalties for a contravention of any requirement of the Commission under this Act;
- (p) to require persons licensed to operate race tracks to keep books of account in a manner satisfactory to the Commission, and to inspect such books at any time;
- (q) to do such things relating to horse racing in any or all of its forms, or to the operation of race tracks at which horse racing is carried on, as are authorized or directed by the Lieutenant Governor in Council. R.S.O. 1980, c. 429, s. 11; 1973, c. 116, s. 2.

**12.** The accounts of the Commission shall be audited by the Provincial Auditor or by such other auditor as the Lieutenant Governor in Council may appoint. R.S.O. 1980, c. 429, s. 12.

**13.** The Commission shall make a report annually to the Minister, containing such information as the Minister may require. R.S.O. 1980, c. 429, s. 13.

**14.** The Lieutenant Governor in Council may make regulations with respect to any and all matters or things that are considered necessary for the carrying out of this Act. R.S.O. 1980, c. 429, s. 14.

**15.** (1) Rules for the conduct of horse racing may be promulgated by the Commission under this Act and the Commission may therein delegate to stewards, judges, veterinarians, race track officials, racing association officials, licensing agents or officers of the Commission such of the following powers as the Commission considers expedient,

- (a) to hold hearings relating to the carrying out of its objects or powers;
- (b) to enforce the carrying out and observance of all regulations, rules and conditions established under this Act;
- (c) to license owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen and such other persons in or about race tracks at which horse racing in any of its forms is carried on;
- (d) to collect fees or other charges for licenses;
- (e) to impose and collect fines and other penalties for a contravention of any requirement of the Commission under this Act.

(1a)- The Commission may adopt by reference, in whole or in part, with such changes as the Commission considers necessary, rules and procedures of racing associations or bodies and may delegate to racing associations or bodies the power to,

- (a) enforce the carrying out and observance of the rules and procedures as adopted or amended
- (b) hold hearings in respect of the contravention of any of the said rules or procedures; and

(c) impose and collect fines, costs and other penalties for the contravention of any of the said rules or procedures, and where a power has been so delegated to a racing association or body, it shall have the right to exercise discretion or judgment in relation to the powers delegated.

(1b)- Every person, association or body to whom a power to hold hearings has been delegated under subsection 1 or 1a, may summon any person by subpoena and require any person so summoned to give evidence on oath and to produce such documents and things as may be required for purposes of a hearing.

(2) - Subject to subsection 2b, any person who considers himself aggrieved by a decision of a person delegated by the Commission under a rule made under subsection 1 or by a decision resulting from a hearing held pursuant to a delegation under subsection 1a, is entitled to a hearing by the Commission and, in the case of a hearing, the Commission may exercise its powers and duties under section 11 as if such powers and duties had not been delegated.

(2a)- Where the Commission, after holding a hearing, is of the opinion that the request for the hearing was frivolously made, the Commission may order the person requesting the hearing to pay to the Commission a penalty of no more than \$300 in addition to any other penalty that may be imposed.

(2b)- Where the rules of the Commission, promulgated or adopted, provide for an appeal to an association or body, any person who considers himself aggrieved shall appeal in accordance with the rules before applying to the Commission for a hearing under subsection 2.

(3) - Any order or rule issued or made by the Commission under this Act shall be deemed to be of an administrative and not of a legislative nature.

(4) - For the purposes of a hearing under subsection 2, three members of the Commission, one of whom shall be the chairman or vice-chairman, constitute a quorum.

(5) - The Commission may, on its own motion, review any decision made by a racing association or body pursuant to a power delegated under subsection 1a and may, after affording the parties an opportunity to be heard, confirm the decision reviewed or substitute its own decision in lieu thereof.

R.S.O. 1980, c. 429, s. 15



## **Chapter 1**

### **PRELIMINARY**

**1.01.1** (a) These rules apply to all thoroughbred tracks under the commission jurisdiction.

**1.01.1** (b) For the purposes of quarter horse racing the rules of thoroughbred racing shall apply with the exception that they shall be superseded by the quarter horse appendage if a conflict arises.

**1.01.2** The laws of the Province of Ontario and the Rules of Thoroughbred Racing including the quarter horse appendage shall supersede the conditions of a horse race and the regulations of the Association.

**1.01.3** All rulings of Racing Boards and Commissions which are members or associate members of the National Association of State Racing Commissioners will be honoured by the Commission as taking effect in Ontario, and all Associations and their officials and employees shall honour such rulings and rulings of other racing jurisdictions in Canada.

**1.02.1** Newly adopted rules and all changes become effective on the date of publication unless otherwise expressly provided.

**1.02.2** The Daily Racing Form shall be the official periodical for announcements and publications of the Commission and all publications promulgated by the Commission will be published in The Daily Racing Form.

**1.02.3** Any ruling of the Commission, the Stewards or other racing officials may be published in the Daily Racing Form or other publication as soon as the person or persons affected by such ruling have been notified either directly or by mail.

**1.03** Every person participating in and every patron of a meeting shall abide by the Rules and accept the decisions of the stewards on all matters to which their authority extends, subject to the right of appeal to the Commission, and shall accept as final the decisions of the Commission.

**1.04** Commission officials and employees shall not drink alcoholic beverages while on duty.

**1.05** Ignorance of the Rules will not be accepted as an excuse for their violation.

**1.06** Directives of the Commission shall have all the force and effect of the Rules.

**1.07** All definitions in these Rules shall apply as well to Commission Directives.

**1.08** When the Final day for implementing any activity covered under the rules falls on a Sunday, and when no racing is being conducted on that day, the activity may be carried out the following Monday. However, if a race to which such



activity relates is scheduled for that Monday, the activity may be performed on the previous Saturday.

## **Chapter 2**

### **DEFINITIONS**

**2.01** "Age" is calculated from the first day of January in the year in which a horse is foaled.

**2.02** "Aged horse" means a horse which has attained nine years of age.

**2.03** "Official Chemist" means a graduate in Chemistry of a university of recognized standing who is approved by the Canada Department of Agriculture or the Provincial Department of Health to analyze samples of urine or blood taken from horses under the provisions of these Rules and Part V of the Race Track Supervision Regulations under the Criminal Code.

**2.04** "Arrears" includes all sums due for entrance money, subscriptions, stakes, forfeits, fines, fees, purchase money in races with claiming conditions, or any default incident to the Rules.

**2.05** "Association" means a person, association or corporate body, licensed by the Commission to conduct a race meeting.

**2.06** "Authorized agent" means an agent appointed by a document signed by the owner and filed each year with, and approved by, the stewards or the Supervisor of Thoroughbred Racing.

**2.07** "Breeder" means the owner of the dam of a horse at the time of foaling.

**2.08** "Canadian bred horse" means one that is foaled in Canada.

**2.09** "Chief Test Inspector" means the official approved pursuant to Part V of the Race Track Supervision Regulations under the Criminal Code, and who is directly responsible to the Canada Department of Agriculture and to the Stewards for taking official urine and blood samples from the horses and for handling and shipping such samples.

**2.10** "Claiming race" is one in which every horse running therein may be claimed in conformity with the Rules.

**2.11.1** "Commission" means Ontario Racing Commission.

**2.11.2** "A Commission" means a Racing Commission recognized by the Ontario Racing Commission.

**2.12** "Declaring" is the withdrawal of a horse from a race at any time prior to it being actually entered therein.

**2.13** "Day" means twenty-four hours ending at midnight.

**2.14** "Drug" shall mean a substance intended for use in the diagnosis, treatment, mitigation, cure or prevention of disease in human beings or animals

and a substance, other than food, intended to affect the structure or any function of the body of a human being or animal.

**2.15** "Entry" means a horse which has been made eligible for a particular race in accordance with its specific conditions, and which has been duly entered to start by the time set for the closing of such entries.

"Entry" also means two or more horses in the same race which are owned or trained by the same person or trained in the same stable by the same management or are coupled for pari-mutuel purposes.

**2.16** "Equipment" includes, when applied to a horse, whips, blinkers, tongue straps, bits, shadow rolls, martingales, breast plates, bandages, boots and plates.

**2.17** "Gender"; words of the masculine gender include the feminine and the neuter and may refer to a partnership.

**2.18** "handicap" is a race in which the weights to be carried by the horses are adjusted by the handicapper of the purpose of equalizing their chances of winning.

**2.19** "Highweight handicap" is one in which the top weight shall not be less than 140 pounds.

**2.20** "Horse" means stallion, mare, gelding, colt or filly.

**2.20b** "In Today Horse" means all horses in the body of a carded race. If a horse scratches from the body of a race it retains its "in today" status. An "in today" horse is not given consideration, at time of entry, for future races except with horses of like status. It also remains an "in today" horse until the race that gave it "in today" status has been run.

**2.21** "Maiden" means a horse which at the time of starting has never won a race on the flat at a track covered by the Daily Racing Form or other comparable quarter horse publication.

**2.22** "Meeting" means a horse-racing meeting held in Ontario with the approval of the Commission; and is the period of time during which races are consecutively run at one race track. A meeting shall not include an agricultural fair or exhibition at which horse racing is not the sole or principal feature with the exception of quarter horse racing.

**2.23** "Month" means a calendar month.

**2.24** "Nominator" is a person in whose name a horse is nominated in any race for which there is a nomination fee.

**2.25** "Official Veterinarian" means a graduate in veterinary medicine from a university of recognized standing who is employed by the Commission.

**2.25b** "Officials" — The following categories shall be considered Racing Officials:

- 1 Stewards
- 2 Placing Judges

- 3 Patrol Judges
- 4 Horse Identifier
- 5 Clerk of the Scales
- 6 Assistant Clerk of the Scales
- 7 Starter
- 8 Assistant Starters
- 9 Starting Gate Groundsmen
- 10 Jockeys' Room Custodian
- 11 Clockers
- 12 Racing Secretary
- 13 Assistant Racing Secretary
- 14 Commission Veterinarian
- 15 Paddock Judges
- 16 Course Marshalls
- 17 Medical Doctors on Staff
- 18 Horsemen's Bookkeeper
- 19 Assistant Horsemen's Bookkeeper

**2.26** "Overnight handicap" is one in which no liability is incurred for entrance money or stake until acceptance of the weight, either directly or through omission to declare out.

**2.27** "Overnight race" is one for which the entries close 72 hours, or less, before the time set for the first race of the day on which such race is to be run.

**2.28** "Owner" includes part owner or lessee. For the purpose of the Rules of Racing, a husband and wife shall be one person and shall be subject to the provisions of Rule 6.11.1 and Rule 6.13.1. Notwithstanding this rule, if one proposes to act as the authorized agent of the other then an authorized agent's license must be obtained.

**2.29** "Post position" means the position assigned to the horse for the start of the race.

**2.30** "Post time" means the time set for the arrival of the horses at the starting point in a race. "Post time" for each race shall be the time set by the official clock on the tote board.

**2.31** "Produce race" is one to be run for by the produce of horses named or described at the time of entry.

**2.32** "Public stable trainer" is a trainer who has been engaged by two or more owners.

**2.33** "Publication" means a Commission Directive, Ruling and any other publication which may from time to time be so designated by the Commission.

**2.34** "Race" means a contest between horses for a stake, a purse or plate, a sweepstakes or an overnight event but not a steeplechase or hurdle race, and

when an Association decides to run a race in two or more divisions, each division shall be deemed to be a race for the purpose of these Rules.

**2.35** "Race track" or "track" shall be deemed to mean and include all parts of the plant or premises of an Association.

**2.36** "Sex" means mare, filly, spayed mare or filly, colt, stallion, ridgling, or gelding.

**2.37** "Rules" means the Rules of Thoroughbred Racing herein prescribed and any amendments thereto, and relate only to thoroughbred racing at all Ontario race tracks under the jurisdiction of the Commission.

**2.38** "Singular", "Plural"; words in the singular number include the plural, and in the plural number includes the singular.

**2.39** "Scratching" means striking a horse out of a race in which it has been entered.

**2.40** "Scratch time" means the time set by the Association for the closing of applications for permission to withdraw from races to be run on a particular day.

**2.41** "Stewards" shall be deemed to mean the stewards appointed by the Commission and the stewards appointed by the Association, after approval by the Commission, or their deputies or substitutes, acting together, or such of them as may be acting at the time.

**2.42** "Subscription" means the act of nominating for a stakes race.

**2.43** "Sweepstakes" or "stakes" race shall be defined as any race the conditions of which requires a cash payment/s be it nomination, starting, interim, supplemental or any other fees which are added to the race's purse money.

**2.44** "Track" see "Race track."

**2.45** "Urine Inspector" means a person employed by the Canada Department of Agriculture to perform duties set out in Part V of the race track supervision regulations under the criminal code.

**2.46** "Walkover" is an event where the only competitor is a horse or entry running in a single interest.

**2.47** "Weight for age" means standard weight according to Rule 8.01 and remains a weight for age race even though there be penalties and allowances.

**2.48** "Clear Days" shall be construed so as to exclude the day of the last race or the day of the last workout and the day of the race, or; the day of the claim and the day of the sale or transfer, or the day of the race outside of Ontario.

**2.49** The definition of "Feature" racing shall be the same as is found in The Race Track Supervision Regulations of the Criminal Code.

**2.50** "Stable area" means those places within the property of a racing association wherein is or are the stables, track kitchen, racing offices, training areas, saddling areas including paddock and walking ring, and the winner's enclosure.

**2.51** "Conditional license" means any racing Commission license set forth



by the Stewards which has conditions limiting the normal rights of that license holder.

## Chapter 3

### RACING ASSOCIATIONS AND ASSOCIATION OFFICIALS

**3.01** An Association shall not:

- (i) Operate a race track at which racing is conducted without applying for a licence, race dates and the post time for the first race of each program of racing on each race date and having them approved by the Commission.
- (ii) Change its race dates or the post time for the first race on any race date by more than 30 minutes, without having such change approved by the Commission.
- (iii) Operate a race track without payment in advance of monthly program fees for the days upon which racing is to be conducted by the Association.

**3.02** The Commission has power, as it may think proper, to make and, if necessary, to vary all arrangements for the conduct of a meeting.

**3.03.1** Members of the Commission and its designated representatives in the performance of their duties, shall have the right of full and complete entry to all parts of the grounds and buildings of any Association, whether or not racing is being conducted by the Association at the time.

**3.03.2** As a condition to its Race Track Operator's Licence, an Association shall provide:

- (i) A stewards' stand to be located and constructed so as to afford the stewards with an unobstructed view of the entire racing strip and having adequate facilities acceptable to the Commission for carrying out of their duties.
- (ii) Adequate security measures to ensure that unauthorized persons do not gain entrance to the stewards' room in the stewards' stand unless invited by the stewards.
- (iii) Offices within the grounds of each race track for the use and at the disposal of the Commission's designated representatives for the purposes of licensing and for the stewards to carry out their pre and post race duties. These facilities are to be acceptable to the Commission and will be subject to inspection at any time.

**3.04.1** Moving picture films *and/or video tapes* of any day's races will be screened at the race track where racing is being conducted at a time and place arranged by the stewards on the next day when racing occurs at that track.

**3.04.2** All Commission licensees, members of the Press and members of the public may attend these screenings.

**3.04.3** Only one public screening of any race shall be required to be made for Commission licensees, members of the Press or public, provided, however,



that if the Executive Committee of the H.B.P.A. requests a special showing of the film of any race such film will be screened for them at or about the time of the public screening of the films of the previous day's racing.

**3.04.4** The Patrol Judges, as directed by the Stewards shall attend the screening of the films of the preceding day, the time and place of the screening to be selected by the Stewards.

**3.04.5** Films and/or video tapes of all races are to be kept by the Commission for one year after the last racing day in the previous year.

**3.04.6** Subject to foregoing, the films and/or video tapes of the film patrol shall not be shown, given or sold to anyone without permission of the Stewards or the Supervisor of Thoroughbred Racing. Further clearance must be obtained from the Canada Department of Agriculture before any films or video tapes of the Film Patrol are given or sold to anyone.

**3.05** Members of the general public admitted by an association to a race track are denied the use of the association's telephone equipment during the interval each day between post time of the first race until after the last race.

**3.06** Horse racing on which pari-mutuel betting is conducted shall not be held on any one race track on more than six days in any one calendar week. The seventh day on which racing will not be held shall be so designated within the application for dates, and shall remain constant throughout any race meeting.

**3.07** Public telephones and all private telephones which are permitted on the grounds by management with the exception of Racing Association, Ontario Racing Commission, Horsemen's Benevolent and Protective Association, and the Press telephones are to be securely locked during the interval each day between one hour before post time of the first race until after the last race.

**3.08** At the close of each meeting, each racing association shall report to the Commission the handle, paid attendance, total purses paid, provincial government revenue from wagering and association revenue from wagering for each meeting.

**3.09** Races shall be run by Association no longer than 30 minutes apart on week-days and no longer than 35 minutes apart on Saturdays, Sundays and holidays but in the event of emergency, such times may be extended by the stewards.

**3.10** Racing shall be conducted only between the hours of 12 o'clock noon and 12 o'clock midnight Eastern Standard Time, unless otherwise specifically authorized by the Commission.

**3.11** When a racing association is conducting racing, it shall reserve sufficient accommodation in its receiving barn for horses that are stabled elsewhere than on its association grounds and the trainers of horses racing each day shall have their horses in the receiving barn in accordance with the following schedule: Two hours prior to post time for the first race of the race program in which it races.

**3.12** When any horse which is not stabled on the association grounds where racing is being conducted arrives on a track to race, the trainer or his attendant shall so inform the receiving barn attendant at least 2 hours prior to post time for the first race of the race program in which it races, and the receiving barn attendant shall inform the appropriate officials, including Commission Veterinarians.

**3.13** Before entering upon their duties, the following officials and employees of an Association shall be approved in writing by the Commission: physicians, stewards, racing secretaries, assistant racing secretaries, handicappers, starters and their assistants, placing judges, clerks of the scales, paddock and patrol judges, timers, jockey room custodians and such other officials and employees of an Association as the Commission may direct from time to time.

**3.14** All racing officials and employees of the Commission, or Associations, shall promptly report to stewards all observed violations of the rules.

**3.15** No one shall enter the stabling area of an Association race track where horses are stabled unless he or she is a member, official, employee or licensee of the Commission, an employee of an Association or a person whom the Commission or the Association has issued with documentary credentials attesting to his or her right to enter such stabling area. However, owners, trainers, authorized racing officials, Commission members and jockeys with proper documentary credentials may sign in guests, unless such guests are unacceptable to the Commission or the Association.

## **Chapter 4**

### **LICENSING**

**4.01.1** The Commission Agent shall issue licenses to racing officials, pari-mutuel employees, stable employees and every person who practises his or her profession, trade, or calling, on a race track provided such licenses have been approved by the stewards or the Supervisor of Thoroughbred Racing, or by the Commission where an application is referred to it by the Supervisor of Thoroughbred Racing.

**4.01.2** To be valid, each license must bear a signature of the holder. The Commission shall provide and pay for an accurate photograph of the licensee when such licensee is available for photographing.

**4.01.3** Any licensee of the Commission shall on demand furnish the Commission with his fingerprints and photograph.

**4.01.4** Every license issued to any licensee by the Commission is issued on the condition that the licensee, his employees, servants and agents who may be concerned with racing, shall accept, observe and enforce the Rules.

**4.01.5**

- (a) The Commission may refuse to grant or may suspend or revoke any license for conduct that the Commission considers to be contrary to the public interest. Without limiting the generality of the foregoing, the Commission may refuse to grant, may suspend or revoke the licence of a licensee, if it finds that said person has been consorting with criminals, bookmakers, touts, suspended persons or other undesirable persons.
- (b) The Commission may, in its discretion, refuse to grant, may suspend, or may revoke the licence of any owner, trainer or other licensee if such owner, trainer or other licensee has accumulated unpaid obligations or has issued drafts or cheques which are dishonoured or payment refused and which remain so for a period of thirty (30) days after notice of same is given to the licensee by the stewards, or if such licensee has otherwise displayed financial instability in relation to thoroughbred racing.

**4.01.6** A person shall not participate in the affairs of an association as Director, General Manager, Officer, Agent, or Employee of such association without first receiving a licence from the Commission, nor shall any person participate in racing as an Official, Owner, Owner-Trainer, Trainer, Jockey, Apprentice-Jockey, Jockey's Agent, Jockey's Valet, or Stable Employee, Tradesman, or Veterinarian, nor shall anyone practice his profession, trade, occupation, or calling including Concessionaire, pari-mutuel employee, unless such persons have applied for and been issued a Commission licence classified in the appropriate category. An association may admit to its grounds the holder of a licence to enable the licensee to have access to the area where the licensee is obliged to perform his/her duties. A licence will not be required for the employee of a company, partnership, or person with whom the association has an agreement to supply goods or services with the permission of the Supervisor of Thoroughbred Racing.

**4.01.7** Unless an owner has a horse registered with the Association, his license shall be invalid and he shall on demand forfeit his license to the stewards and he shall not apply for another owner's license or for the return of the forfeited owner's license until he has a horse registered with the Association.

**4.01.8** Upon any occupational licensee leaving the employment of an owner or trainer, it shall be the responsibility of that licensee to notify the Commission Clerk accordingly. It shall also be the responsibility of the employer, be it owner or trainer, to notify the Commission Clerk of this information.

**4.01.9** Each license issued by the Commission shall be of the type equipped with a clasp and shall be worn by the licensee on the outer garment and in plain view at all times while the licensee is within the confines of the stable area.

**4.02.1** The license fees to be paid to the Commission by personnel concerned in racing are as follows:

New Owners .....\$ 25.00

Renewal Owners .....	\$ 10.00
Temporary Owner's license fee .....	\$ 5.00
Trainers .....	\$ 10.00
Jockeys .....	\$ 20.00
Apprentice Jockeys .....	\$ 10.00
Jockey Agents .....	\$ 10.00
Jockey Valets .....	\$ 5.00
Authorized Agents .....	\$ 10.00
Tradesmen .....	\$ 5.00
Veterinarians .....	\$ 5.00
Pari-mutuel employees .....	\$ 5.00
All others .....	\$ 5.00

An owner will not be considered as a renewal owner if his license has been in a state of lapse for three racing seasons prior to the season of application.

#### 4.02.2

- (a) The following annual fees shall be payable to the Commission upon application for registration with the Commission of the following:

Stable Names .....	\$ 50.00
Partnerships .....	\$ 5.00
Lease .....	\$ 5.00 (per horse)
Authorized Agents .....	\$ 5.00

- (b) A partnership which races under a stable name must fill out the partnership form but is not required to pay the partnership fee.

**4.03** The license fee to be paid to the Commission by an Association shall be determined by the Commission from time to time.

**4.04.1** Persons under 16 years of age, with the approval of the Stewards and upon written consent of the parents or guardian, may be licensed by the Commission.

**4.04.2** Notwithstanding Rule 4.04.1, no person under 18 years of age will be licensed by the Commission as an apprentice jockey, or jockey, save and except those apprentice jockeys and jockeys, under 18 years of age, who have previously been licensed by a Commission.

**4.05** Any Commission licensee who is exercising horses and has not been granted an occupational license valid for exercising horses, shall apply for such license.

**4.06.1** For the purpose of this Chapter, "jockey" shall include "apprentice jockey."

**4.06.2** Before being granted a jockey's or apprentice jockey's licence, each applicant shall present to the stewards or Supervisor of Racing the report/s of the following:

- (a) a chest x-ray taken within the last six clear months;



- (b) an eye examination by an ophthalmologist;
- (c) a complete physical examination by a physician acceptable to the Commission;

The expense of these examinations shall be borne by the applicant. The stewards at their discretion may grant temporary licensing without the completion of part (a), (b), or (c) for a specific limited period.

**4.06.3 DELETED**

**4.06.4 DELETED**

**4.07** The stewards shall notify the Commission of all jockey agents they have recommended for licenses and shall keep the Commission notified of all changes in the representation of jockeys by an agent.

**4.08** A licensed trainer may apply for a temporary license status on behalf of an owner he represents by completing an Application for Thoroughbred License Form, (for example John Doe, Owner, per Richard Roe, Trainer).

A non refundable fee of \$5.00 shall be charged for such temporary license status. The temporary license status shall be revoked fourteen clear days from the date of issuance of the temporary license status, or upon receipt of a completed application form and payment from the owner, whichever comes first. In any event the licence must be completed and paid for within the next 30 clear days following the issuance of the temporary licence.

**4.09** No trainer shall apply for a trainer's license except under his own name. (See Rule 31.06)

**4.10.1** Before being granted a jockey's valet's license, each applicant must have a chest x-ray each year. Printed forms, which should be filled out before making an appointment, may be procured at the Commission offices.

**4.10.2** The Commission or the stewards may at any time order a thorough physical examination of any jockey's valet by a physician appointed by the Commission.

**4.11.1** The requirements of Rule No. 4.06.2 may be waived by the stewards in the case of a jockey who on arrival in Ontario proposes to ride in Ontario for less than seven racing days and such jockey shall so certify to the stewards before he is granted a license.

**4.11.2 DELETED**

**4.12** Any holder of an occupational license shall at once surrender it to the stewards or the Commission Clerk upon demand, and after such demand having been made, whether it is complied with or not, the holder's occupational license shall be automatically and immediately suspended and the matter shall be reported to the Commission.

**4.13** In order to be licensed as a blacksmith the applicant must fulfill either of the following:



- (a) have the approval of the Stewards, and have held a license at a recognized track in North America in one or more of the preceding 3 years or:
- (b) (1) have past experience in the blacksmith's field of endeavour suitable to the Stewards and;  
(2) have the trainers of the total of at least seven horses willing to use his services, and;  
(3) must pass a test of shoeing a horse overseen by a blacksmith representative from the blacksmith's licensed on the grounds and a Commission Veterinarian representing the Ontario Racing Commission.

**4.14** In order to be licensed as a veterinarian's student assistant, the applicant must fulfill the following conditions:

- (a) he or she shall have been enrolled and have completed at least one year at a veterinary college recognized by the Ontario Veterinary Association.
- (b) he or she shall be in the employment of a veterinarian licensed by the Ontario Racing Commission.
- (c) he or she shall agree to and obey the regulations of the Ontario Veterinary Association in regard to student assistants.

**4.15** A licensee must advise the Commission in writing of a change in permanent address within ten days of such change. Failure to do so may result in a fine or suspension.

**4.16** A person shall not participate in the affairs of an Association as Director, General Manager, Officer, Agent or Employee of such association without first receiving a licence from the Commission, nor shall any person participate in racing as an Official, Owner, Jockey, Apprentice Jockey, Trainer, Groom, Authorized Agent, Tradesman, or Veterinarian, nor shall anyone practice his profession, trade, occupation, or calling including Concessionaire, or pari-mutuel employee unless such persons have applied for an been issued a current Commission licence classified in the appropriate category. A licence will not be required for the employee of a company, partnership or person with whom the association has an agreement to supply goods or services on a frequent basis if permission to be exempt from licensing has been received from the Supervisor of Thoroughbred Racing.

**Chapter 5**  
**COLOURS**

**5.01** All racing colours carried in races shall be registered annually, or for life, with the Commission. The fees for registration are:

Colours (Annual) .....	\$15.00
(Life) .....	\$50.00

**5.01.1** The front and back of each jacket registered with the Commission

must be identical in every particular in colour and pattern. Racing colours registered with the Commission prior to September 7, 1970 which do not comply with this rule may continue to be registered until they are lapsed.

**5.02** Without permission of the stewards no persons shall start a horse in colours other than those registered with and approved by the Commission in his own or his stable name, nor shall any partnership start a horse in colours other than those registered with and approved by the Commission in the name of the partnership or in its stable name, nor shall any two ownerships start horses in the same colours.

**5.03** A jockey shall wear the colours of the owner of the horse he is riding (except by special permission of the stewards) and any change of colours shall be announced to the public.

**5.04** Any disputes between claimants to the right of particular racing colours shall be decided by the Commission.

**5.05** The purchaser of lifetime colours shall have the right to use these colours throughout his or her lifetime and may be used by their estate as long as the horses run in the name of that estate. For a period of five years after the estate ceases to use the colours, they cannot be used without the approval of the estate. If lifetime colours are not renewed for a period of ten years, these colours will be eligible for approval for another owner only after all attempts to contact the previous owner have been exhausted.

## Chapter 6

### ENTRIES AND SUBSCRIPTIONS

**6.01** No horse shall be permitted to enter or start unless:

- (a) It is duly registered with and approved by the registry office of the Jockey Club (New York) and its registration certificate is filed with the Association, or qualifies under rule 11.17(b) and
- (b) It is owned by a licensed owner and is in the care of and saddled by a licensed trainer or his licensed assistant and
- (c) At the time of entry, the horse must be eligible to the conditions of the race as specified by the Racing Secretary and must remain eligible until the race, with the exception of rule 6.33.

**6.02** Any horse that has raced in Ontario and is sold shall not be eligible to be entered for any racing in Ontario after such sale until, either a Bill of Sale for a change of ownership has been approved by the stewards or a properly executed transfer has been made on the foal certificate. (Bill of Sale Forms may be obtained from the Horsemen's Benevolent and Protective Association or the Ontario Racing Commission Offices at the race track). All Bills of Sale must include a statement of the terms of sale including any encumbrances, contingencies, conditions or any

restriction to a clear title. The Supervisor of Racing or, in his absence the stewards, may waive this rule under exceptional circumstances.

**6.03** If a horse's name is changed, its new name shall be registered with the Jockey Club (New York) and its old, as well as its new name, shall be given in every entry list until it has run three races, and both names must be printed in the official programme for those three races.

**6.04** If entered for the first time at a meeting, a horse shall be identified by stating its name, colour, sex and age, and the name of its sire or sires and dam as registered. Such description of such horse shall be repeated at each entry until the horse and description of such horse have been published in the Association's daily programme or the list of entries of an Association. In every race thereafter sufficient description shall be deemed to be provided if the name, colour, sex and age of a horse is furnished.

**6.05** The conditions of any race, including the distance of the race or the track, whether dirt or turf, may be changed by the Association until the time of entry and after that, only with permission of the stewards.

**6.06.1** Nominations and entries may be made by any one of equal partners. However, all partners and each of them shall be jointly and severally liable for all fees and forfeits.

**6.06.2** No horse owned by a partnership shall be permitted to enter or to start until the Rules for the registration of partnerships have been complied with.

**6.07** The nominator is liable for the entrance money or stakes, and a mistake in the entry of a horse when eligible does not release the subscriber or transferee from liability for stakes or entrance money.

**6.08** Entrance money is not refunded on the death of a horse, nor its failure to start.

**6.09** (a) The personal representative of a deceased owner shall be deemed to hold an owner's license in respect of horses belonging to the estate of the deceased until the Commission declares that such deemed license is no longer in effect.

(b) In the event of the death of a licensed owner, the authority of any person authorized as an agent for the deceased shall become void until further notification in writing by the executors or the administrators of the licensee's estate; that the authorized agent is entitled to act for that estate under whatever clauses they so indicate.

**6.10.1** Entries, scratches and declarations shall be made in writing and signed by the trainer who at the time of entry has been charged with the care and custody of the horse in question or by the owner of the horse, or by the owner's licensed authorized agent. Each Association shall provide forms on which entries, scratches and declarations are to be made.

**6.10.2** For all races, the racing secretary or his deputy are the only persons authorized to receive entries, scratches and declarations.

**6.10.3** Notwithstanding Rule 6.10.1 entries may be submitted by telephone or telegraph, but when so submitted need not be accepted by Associations, and must be confirmed in writing. Confirmation must be postdated within 24 hours of the telephone or telegraph entry.

**6.10.4** No person shall enter a horse other than in the name of the actual owner or lessee.

**6.11.1** A horse shall not be eligible to be entered, nor start in any race, if owned in whole or in part, or if trained by or under direct management of an unlicensed or a suspended person. However, in the case of husband and wife no entry shall be accepted from husband or wife while either is disqualified. Husband and wife, unless living separate and apart pursuant to a decree, order or judgment of competent tribunal, or pursuant to a written agreement, shall be considered a single entity and any ruling which applies to one shall equally apply to the other. This rule may be waived by the Commission should the spouse of the disqualified person present documented evidence that ownership and racing of his or her horses is independent of, or not under the control or influence of the disqualified spouse.

**6.11.2** If any entry from an unlicensed person or a person whose license is under suspension or of an ineligible horse is received, such entry shall be void and any money paid for such entry shall be returned if the facts are disclosed one hour before post time for the race. Otherwise, such money shall be paid to the winner.

**6.11.3** No horse shall be allowed to enter or start in any race if the owner of that horse is in arrears, except with the approval of the stewards.

**6.11.4** No person shall wilfully enter, or cause to be entered, or start a horse which he knows or believes to be ineligible or disqualified.

**6.12.1** The racing secretary may postpone closing of overnight races.

**6.12.2** In the case of sweepstakes, the closing of nominations, entries interim payments and declarations shall be in accordance with the conditions published by the association sponsoring the event.

### **6.13.1**

- (a) Except in stakes races and races which are conditioned for horses eligible for a specified stakes and other races which underfill, not more than two horses of the same ownership or interest shall be entered in a race and both may start.
- (b) No owner or trainer shall directly or indirectly enter more than two horses in an overnight event. With the exception of stakes races, no two horses shall start if they have common ownership to the exclusion of a single entry.
- (c) Notwithstanding rule 6.13.1 (a) and 6.13.1 (b), any portion of any race which



splits shall be considered for the purposes of these rules to be an individual race.

**6.13.2 DELETED**

**6.13.3 DELETED**

**6.14.1** Horses trained by a public-stable trainer shall not be coupled with horses trained by another public-stable trainer unless the horses in question are owned in whole or in part by the same owner/s.

**6.14.2** All horses owned wholly or in part by the same person, or his or her spouse, or trained by the same trainer, shall be coupled and run as an entry.

**6.14.3** Notwithstanding Rule 6.14.2 where two or more horses are coupled as an entry only for the reason that the horses are trained by the same trainer, the racing association may with the consent of the stewards run those horses as separate interests, if

- (i) the race in which the horses are entered is a sweepstake; and
- (ii) the nomination closing date for the race was at least ten days prior to the race.

**6.15** The number of starters in any overnight race shall be limited by the width of the track at the starting post, the maximum number to be determined by the stewards.

**6.16** When entries exceed the permitted number of starters, the number of starters shall be reduced to the maximum permitted number of starters by lot, or also by lot by division of the race at the option of the Association. Overnight handicaps, sweepstakes, and starter handicaps that overfill and handicap races which split are excepted from this rule.

**6.17** Each day after the entries have been closed, it shall be the duty of the racing secretary to designate persons from owners or trainers present in the entry office to draw the entry sheets and post position numbers. In every case, the entry shall be drawn from its approved receptacle before the number ball is released from the number box.

**6.18** In divided stake races the starters in the separate divisions shall be determined by lot.

**6.19.1** The Association shall have the right to withdraw or change any race prior to the drawing of entries.

**6.19.2** If a race is declared off because of insufficient entries, the Association may split any race prior to the drawing of entries.

**6.20.1** The Racing Secretary shall keep a list of all horses excluded from races because of too many entries; this list shall be known as the "Preferred List". Horses which have been excluded from races shall be given preference the next time they are entered in a similar class of race. The classes of races in regard to the Preferred List shall be set by the Racing Secretary's office before each Association's meeting and must be approved by the Stewards appointed for that meeting.



**6.20.2** The second part of an entry if running in different ownership to the first part, shall receive preference over an "in today" on the also eligible list in case the race underfills. If the entry is of the same ownership and the race underfills the second horse and the "in today" will draw to get into the race.

**6.20.3**

- (a) When a horse's name appears in the entries and scratch time precedes the entry time for the next racing program, the following shall apply when the horse has been officially scratched: It may be entered back for the following program as an "in today" horse. An "in today" horse will only be entitled to consideration at the time of draw in regard to other horses of like status. If the horse is not officially scratched it may not enter back.
- (b) When a horse's name appears in the entries and scratch time follows the closing of the entries for the next racing program, permission must be obtained from the stewards (with the exception of stakes races) before entering back into either of the next two consecutive racing programs.
- (c) In the event any entitled licensee wishes to scratch part of an entry and subsequently enters that horse in either of the next two consecutive programs, (with the exception of a stakes race), he/she must scratch that horse at the scratch time allotted for a single entry.

**6.21.1** The preferred list shall be posted daily and all claims of error shall be made to the racing secretary within a reasonable time.

**6.21.2** If a horse is on the preferred list, the owner, trainer or authorized agent must so notify the entry clerk at the time of entry, who shall mark the entry "Preferred." A claim of error may be corrected by the stewards up to the time of the draw for the race.

**6.22** When a horse is sold by private or public auction or transferred, it is deemed to be sold or transferred with its engagements unless there is an agreement in writing to the contrary and an executed copy of such agreement is filed with the Racing Secretary of the association sponsoring the engagement.

**6.23.1** Nominations, entries and rights of nomination and entry of a deceased owner (other than a deceased owner of a registered partnership) shall be exercisable by, and transferable by, his or her personal representative or transferee subject to compliance with the Rules and Directives of the Commission.

**6.23.2** In the case of the death of a member of a registered partnership, such nominations, entries and rights of nomination and entry shall continue to subsist and may be exercised by the remaining partners or any of them.

**6.24** Should a horse be sold with its engagements, or any part of them, the seller shall not strike the horse out of any such engagements.

**6.25** If, when a horse is sold or transferred or deemed to be sold or transferred with its engagements, the Racing Secretary requires that evidence of

such sale or transfer be submitted to him, than failure to do so shall render the horse ineligible to start in any stakes.

**6.26** No person shall make or receive the transfer of a horse or engagement for the purpose of avoiding disqualification.

**6.27** A licensed person is entitled to enter a horse in which he owns a majority share or an interest equivalent to that of the largest shareholder/s.

**6.28** A horse shall not be entered in more than one race, including stakes, on any one day.

**6.29** A trainer shall be responsible for the eligibility of horses entered by him.

**6.30.1** An owner shall be responsible for the eligibility of horses personally entered by him.

**6.30.2** A horse shall not be eligible to start in any race unless it has been and continues to be properly entered therein, including conditions of rule 6.33. A horse which is improperly entered shall not be entitled to any part of the purse, but once the "Official" sign is posted, this rule shall in no way affect the wagering on the race.

**6.31** The nominations and entries of any person, or transfer of any nomination or entry, may be refused without either notice or reason being given.

**6.32** A horse shall not be eligible to race unless it has started in a race or completed a timed workout satisfactory to the stewards within 30 clear days of the day of the race for which it is entered. The stewards shall determine the qualifying times for all distances, surfaces and conditions.

**6.33** Notwithstanding Rule 13.12, in the event that a horse wins and the resulting win is challenged by protest, appeal, or both, or should notification be received that any horse in a race has had a positive test, then any horse that as a result of the final determination of any of these circumstances might be declared the winner shall in regard to conditions for subsequent entry, be considered to have won until the protest, appeal or hearing for the positive test is decided.

**6.34** Horses on the also-eligible list are not "in today" horses. Such horses may be entered for the succeeding day and receive any preference to which they may be entitled; however, if a horse gets in a succeeding race he will be scratched out of the race in which he was also eligible. The status of such horses must be noted at the time of entry.

**6.35** The Lessor of any leased horse must be licensed by the Ontario Racing Commission or a member commission of the National Association of State Racing Commissioners before that horse is eligible to race in Ontario. This condition may be waived by the Commission upon application. Such licence does not give the holder the privilege of admission to stable area.

**6.36** Any horse that refuses to break in two races at any time shall be denied entry during the balance of the season of its second refusal. This horse will be ineligible to enter after that racing season without permission from the stewards.

**6.37** A horse shall not be eligible to start in any turf race in which the horses cross the dirt strip unless it has fulfilled at least one of the following conditions:

- (a) started in such a race some time in its racing career

OR

- (b) has a recorded workout on a turf course which crosses a dirt strip in the current year.

OR

- (c) in the case of a horse or horses shipping into Ontario to race in a Stakes race, the stewards may at their discretion, after receiving an official request, waive the above requirements, provided the horse in question gallops on the turf course and crosses the dirt strip.

**6.38** All first life-time starters must have at least two published workouts and at least one of these workouts must be from the starting gate.

**6.39** Any horses running in the same race for owners who have a direct or indirect association in thoroughbred racing which in the opinion of the stewards could be construed as a conflict of interest, shall be coupled as an entry.

**6.40** Purses earned outside of North America will be calculated in Canadian dollars based on the current rate of exchange at the time of entry for a race. Winnings in the United States will be deemed to be at par with Canadian funds.

**6.41** No horse on the starter's, veterinarian's or stewards' list in any jurisdiction shall be eligible to be entered or start in Ontario. It shall be the responsibility of the licensee making the entry to ascertain that the horse is not currently on any of the above three lists.

**6.42** The drawing of post positions shall be final, except when there is conclusive evidence that a horse was properly entered but omitted from any category due to error or negligence by an official or employee of the association. When such information is made known and verified or if the draw has been mechanically incorrect the following procedures shall be followed:

- (a) If this information is made known and verified before the draw for that racing card is completed the race shall be redrawn.
- (b) If the information is made known after the Racing Secretary or Assistant Racing Secretary has declared the draw of that racing card complete and the horse omitted by error was entered to an overnight event, it may be added to the race and given the outside post position, providing its addition does not exceed the maximum number of starters allowed in a single field. Otherwise, such horse shall be placed on the also eligible list. IF the also eligible list is full, the horse shall be placed on the preferred list for future entry. If the horse omitted by error was entered to a stake, futurity, early closing event or late closing event, it shall be added to the race and given the outside post position. In such case, if its addition exceeds the maximum number of starters allowed in a single

field the event shall be divided. In this event, the starters in each division and their post positions will be redrawn by lot or by the specific method used for this classification of race.

## **Chapter 7**

### **DECLARATIONS AND SCRATCHES**

**7.01** No horse shall be considered scratched or declared out of an engagement until the owner or his trainer or his authorized agent shall have given due notice in writing to the racing secretary before the time stipulated by the regulations of the Association. The scratching of part of an entry will be permitted until two hours prior to post time of the race concerned, except that in races with an "Also Eligible List" it shall be permitted only until the published scratch time of the race concerned.

**7.02.1** A scratch from a stakes race shall be made no less than 45 minutes before post time of the race.

**7.02.2** In a stakes race if a horse is not named through the entry box at the time of closing for such race, the horse is automatically ineligible to start in that race.

**7.02.3** An entry of a horse in a sweepstakes is a subscription to the sweepstakes. A nomination of a horse to a sweepstakes may be altered or withdrawn at any time prior to the closing time for such nominations.

**7.03.1** The Stewards may permit the withdrawal of any horse after weighing out for any reason which may seem adequate to them in conformity with the usages of the turf.

**7.03.2** The Stewards shall have the authority to declare that a horse is not a starter if they shall determine that any occurrence before the running of such race calls for such action by them.

**7.04** The declaration or scratch of a horse out of an engagement is irrevocable.

## **Chapter 8**

### **WEIGHTS**

See also Chapter 30, Rule 30.23, 30.26, Weights for Apprentice Jockeys.

**8.01** The following weight shall be carried when not stated in the conditions of a race:

Dist.	Age	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov. Dec.
	2 Years	x	x	x	x	105	108	111	114
1/2 mile	3 Years	119	121	123	125	126	127	128	129
	4 Years	130	130	130	130	130	130	130	130
	5 Yrs. & over	130	130	130	130	130	130	130	130
	2 Years	x	x	x	x	102	105	108	111
6 fur.	3 Years	117	119	121	123	125	126	127	128
	4 Years	130	130	130	130	130	130	130	130
	5 Yrs. & over	130	130	130	130	130	130	130	130
	2 Years	x	x	x	x	x	96	99	102
1 mile	3 Years	111	113	115	117	119	121	122	123
	4 Years	128	127	126	126	126	126	126	126
	5 Yrs. & over	128	127	126	126	126	126	126	126
	3 Years	107	111	113	116	118	120	121	122
1 1/4 miles	4 Years	127	127	126	126	126	126	126	126
	5 Yrs. & over	127	127	126	126	126	126	126	126
	3 Years	104	108	111	114	117	119	121	122
1 1/2 miles	4 Years	126	126	126	126	126	126	126	126
	5 Yrs. & over	126	126	126	126	126	126	126	126
	3 Years	102	106	109	112	114	117	119	120
2 miles	4 Years	126	126	126	126	125	125	124	124
	5 Yrs. & over	126	126	126	126	125	125	124	124

**8.02** The owner, trainer or authorized agent shall claim all weight allowances at the time of entry and the claimant shall be responsible should a horse be started carrying an incorrect weight and is accordingly disqualified.

**8.03** Subject to Rules 8.05.1 and 8.05.2, if a horse fails to carry his correct weight over the entire distance of the race, such horse shall be disqualified.

**8.04.1** A jockey shall declare his overweight to the clerk of the scales at a time fixed by the clerk of the scales, and the clerk shall have the overweight posted immediately on the notice board. Failure on the part of any jockey to comply with this Rule shall be reported to the stewards.

**8.04.2** Five pounds is the limit of the overweight any horse is allowed to carry but an allowance may be waived with permission of the stewards to comply with this rule. (See Rule 8.10)

**8.05.1** Each jockey shall weigh in at the same weight as he weighed out, except that a tolerance not to exceed two pounds underweight is allowed. If short by more than two pounds his mount shall be disqualified.

**8.05.2** No jockey shall weigh in at more than three pounds over the weight at which he weighted out, except insofar as such weight has been affected by the



elements. Unless such weight has been affected by the elements, such jockey's mount shall be disqualified.

**8.05.3** No jockey shall, before weighing in, wilfully touch any person or thing, other than the equipment that is to be included in his weight.

**8.05.4** Each jockey shall, in weighing in, carry to the scales all pieces of equipment with which he weighed out. Thereafter he may hand them to his attendant.

**8.05.5** The Stewards shall display the official sign on the infield board promptly after:

- (a) The first five horses have finished or, in the opinion of the stewards all that are capable of finishing.
- (b) The Clerk of the Scales, or his assistant, has notified the stewards that all of the jockeys referred to above have been found to have weighed in with the correct weight.

**8.06** A jockey's weight shall include his clothing, boots, saddlecloth, saddle-pad, lead, pommel pad, overgirth and the saddle and its attachments. None of the following items shall be included in a jockey's weight: whip, head number, number cloth, cap, blinkers and safety helmet.

**8.07** Except in handicaps and races where the conditions expressly state to the contrary, fillies two years old shall be allowed three pounds; fillies and mares three years old or over shall be allowed five pounds before September 1 in any year, and three pounds thereafter.

**8.08** Horses penalized in a race shall not be entitled to an allowance in that race.

**8.09** Horses not entitled to the first allowance in a race shall not be entitled to the second allowance, and if not entitled to the second allowance, shall not be entitled to any subsequent allowance.

**8.10** Subject to the provisions of Rule 30.23, allowances, with the exception of the sex allowance, are optional as to all or any part of them and shall be claimed at the time of entry, but even though so claimed remain optional; penalties, however, are obligatory.

**8.11** A claim for allowance to which a horse is not entitled will not disqualify a horse unless persisted in at the weighing out.

**8.12** No allowance shall be made to a horse for not having won one or more races, provided, however, that this Rule shall not prohibit maiden allowances or allowances to horses which have not won within a specified time or which have not won races of a specified value.

**8.13** No horse shall be penalized, nor shall it be barred from any race, for having placed second or lower in any race.

**8.14** Penalties and allowances are not cumulative, unless so declared by the conditions of a race.

**8.15** No two-year-old shall compete in an all-age race before September 1 in any year.

**8.16.1** In races of shorter lengths than one-half mile, the weights for one-half mile shall be carried.

**8.16.2** In races of intermediate lengths, the weights for the next shortest distance shall be carried.

**8.16.3** In races exclusively for two-year-olds the weight shall be 122 pounds.

**8.16.4** In races exclusively for three-year-olds or four-year-olds, the weight shall be 126 pounds.

**8.16.5** The minimum weight shall be 95 pounds in any race.

**8.16.6** No allowance shall be made for geldings in any race.

## Chapter 9

### JOCKEYS

See also Chapter 30 — Apprentice Jockeys.

**9.01** Every horse shall be ridden out in a race unless it has been injured or is obviously suffering from some physical impairment, and any instructions or advice to jockeys to ride or handle their mounts otherwise than for the purpose of winning are forbidden and will subject all persons giving or following such instructions or advice to disciplinary action by the stewards.

**9.02** Every jockey who is engaged to ride in a race shall report to the scale room on the day of the race at the time required by the officials. He shall then report his engagements and overweight, if any, to the clerk or the scales.

**9.03** Every jockey shall not thereafter leave the jockey room (except to view the races from a point approved by the stewards, or to ride in a race), until all his engagements of the day have been fulfilled.

**9.04.1** The jockeys' room custodian shall see to it that no person other than the members of the Commission, authorized racing officials the Supervisor of Thoroughbred Racing and the stewards, or a designated representative of the Commission and the necessary jockeys' room attendants, is admitted to the jockeys' room on a day of racing without the express permission of the stewards or Supervisor of Racing for each time of entry.

**9.04.2** The jockeys' room custodian shall oversee the care and storage of all racing colours for the duration of a meeting, loss by fire and theft excepted.

**9.04.3** It shall be the duty of the jockeys' room custodian to see to it that order, decorum and cleanliness are maintained in the jockey and scale rooms.

**9.04.4** The jockeys' room custodian shall report to the stewards any irregularities or violation of the Rules that occur within his knowledge.

**9.05.1** In riding a race a jockey shall be neat in appearance. All riders shall be dressed in clean jockey costume, cap and jacket of silk, satin or waterproof material and stock tie, white or light breeches and top boots. In all races, jockeys shall wear safety helmets of a type approved by the Commission.

**9.05.2** The custodian shall see to it that jockeys are neat in appearance and are attired according to the Rules when they leave the jockey room to ride in a race.

**9.06** The minimum riding fees paid to jockeys shall be as agreed by the Jockeys' Benefit Association and the Horsemen's Benevolent and Protective Association. A copy of this Agreement must be filed with the Commission.

**9.07.1** A jockey's fee shall be considered earned when the Paddock Judge calls "riders up" for the particular race. The jockey's fee shall not include any duplicate jockey's purse percentage if the initial rider must be replaced between "riders up" and the official start.

**9.07.2** In a dead heat where fees are computed on a percentage basis they shall be computed on the adjusted purse. If fees are on a set scale for the positions involved they shall be equally divided between the jockeys involved.

**9.08** The Association may require owners to deposit in advance a sum sufficient to cover jockeys' fees incurred.

**9.09.1** The jockeys' room custodian shall oversee the jockey valets and arrange their rotation among jockeys in the matter of weighing out.

**9.09.2** The jockeys' room custodian shall see to it that no jockey valet, not approved by the stewards, is permitted to assist any jockey at any time.

**9.09.3** Only jockeys' valets shall be permitted to assist jockeys in weighing out.

**9.09.4** No jockey shall have a valet other than one provided by the Racing Association. Such valets shall be paid by the jockeys and the Racing Association.

**9.10.1** No jockey shall make a bet on any race nor accept a promise or token of any bet, with respect to the race in which he is riding, except through or from the owner or trainer of the horse he rides, and then only on that horse. (See also Rule 15.18).

**9.10.2** No person shall make a bet for the account of any jockey except the owner or trainer of the horse the jockey is riding, and then only on that horse.

**9.10.3** No person shall offer or give a jockey any money or other benefit in relation to a race, unless that person is the owner or trainer of the horse ridden in that race by that jockey.

**9.10.4** No outrider or jockey's valet shall make a bet on any race nor shall he place a bet for anyone else.

**9.11.1** After a race has been run and after a jockey has pulled up the horse he has ridden, he shall ride to a place below the stewards' stand and upon

obtaining permission to dismount, shall do so, and unsaddle his horse and present himself to the clerk of the scales or his assistant to be weighed in.

**9.11.2** If a jockey is prevented from riding his mount to the stewards' stand because of an accident to, or illness of, either himself or his horse, he may walk or be carried to the scales, or he may be excused by the stewards from weighing in.

**9.12** Except by permission of the stewards, every jockey shall, upon returning to the stewards' stand, unsaddle the horse he has ridden, and no person shall touch such horse except by its bridle.

**9.13.1** All jockeys shall faithfully fulfill all engagements in respect to racing.

**9.13.2** Should any jockey leave Ontario or fail to honour his riding engagements, his jockey agent shall promptly notify the stewards accordingly.

**9.14.1** The suspension of a jockey for an offence shall begin on the day specified by the stewards or the Commission in the ruling.

**9.14.2** A jockey who is under suspension shall not be permitted to fulfill his engagements in any races including stakes races.

**9.14.3** A jockey temporarily suspended may be permitted to exercise or gallop horses during the morning hours and to have access to the stabling area unless otherwise stated in the suspension ruling.

**9.15.1** No jockey or apprentice jockey or his/her spouse shall be an owner or trainer of any thoroughbred race horse, in whole or in part.

**9.15.2** No person shall be a trainer or part owner of any horse in which a jockey has a proprietary interest.

**9.16** A jockey shall not ride or agree to ride in any race without the consent of the owner or trainer to whom he is under contract.

**9.17** A jockey shall not ride in any race against a starter of his contract employer or any trainer or owner from whom he derives a salary, unless his mount and his employer's starter are coupled as an entry.

**9.18** The substitution of a jockey to ride any horse in a race may be made only with the approval of the stewards.

**9.19** No owner or trainer shall employ a jockey for the purpose of preventing him from riding in any race.

**9.20** No person except the jockey concerned shall assume or pay, directly or indirectly, a fine imposed upon a jockey.

**9.21** Each Association's physician shall examine all jockeys as they report for duty each day and in the event that he is of the opinion that any jockey is unfit to ride, he shall so inform the stewards, who shall excuse such jockey from all riding engagements made by him for that day and they may, in addition, take such disciplinary action as they may deem fit against such jockey.

**9.22** The Commission or the stewards may, at any time, order a thorough physical examination of any jockey by a physician appointed by the Commission and the cost of the said examination shall be borne by the jockey.



**9.23** Where a jockey's name appears on a programme, at least one of his Christian names (or a diminutive of it, for instance, "Ted" for "Theodore") shall appear before his surname.

**9.24** Every owner or trainer shall, upon making an entry, include the name of the jockey who is to ride his horse. If no jockey has been named by the time of the drawing of entries, the stewards shall name a jockey to ride the horse and take whatever action they feel is justified within Rule 16.13. If for any reason a rider is unable to fulfill his riding engagement, the stewards or their appointed representative shall attempt to contact the trainer and/or owner of the horse in question and if they are unsuccessful they shall name a rider who is willing to ride the horse in question.

**9.25** Signed copies of all contracts or first calls between owners and jockeys or between trainers and jockeys (including apprentice jockeys) shall be filed by the owners or the trainers, as the case may be, with the stewards as quickly as may be after they are signed. The stewards, after they have recorded the details of the contracts, shall at once forward the signed copies to the Commission. Likewise, when such contracts are terminated, signed copies of the agreements of termination shall be filed with the stewards as quickly as may be after they are signed and the stewards, after they have recorded the details of the agreements of termination, shall at once forward the signed copies to the Commission.

**9.26** Any change of a jockey shall be approved by the stewards and promptly and publicly posted and announced.

## **Chapter 10**

### **ENGAGEMENT OF RIDERS, EMPLOYEES AND JOCKEYS' AGENTS**

**10.01** Each jockey shall have only one agent. All engagements to ride made prior to the drawing of entries for that specific race, other than those for his contract employer, shall be made by his agent. However, a jockey not represented by an agent may make his own engagements. In an emergency, an owner or trainer, when directed by the stewards, shall book the services of a jockey by negotiating with him/her personally.

**10.02** It is the responsibility of the jockey's agent to be present at the time of drawing of any program in which any of his jockeys have engagements to ride. If, in the event of mitigating circumstances, the agent is unable to be present, he must be represented by another licensed individual authorized by the agent to act on his behalf.

**10.03** Employers retaining the same jockey have precedence according to priority of the retainers as specified in the contracts.



**10.04** No jockeys' agent shall act at the same time for more than two jockeys and one apprentice jockey.

**10.05** No jockeys' agent shall make or assist in making any engagement for any rider other than those he represents.

**10.06** Jockey Agents shall not be allowed in the saddling area, the paddock or winners' circle without the permission of the Stewards.

**10.07** Jockey agents shall not communicate in any way with any jockey from the time the jockey leaves the jockey room before a race until the jockey has returned to the jockey room after the race.

**10.08** Before a jockey agent's application for a license is approved by the Commission such jockey agent shall file with the stewards a complete list of the jockeys for whom he acts as a jockey agent.

**10.09** Should any jockey agent cease to be an agent for any jockey, such jockey shall promptly notify the stewards accordingly.

**10.10** Should any jockey wish to change his jockey agent, he may do so only with the permission of the stewards.

**10.11** Should any jockey agent cease to be an agent for his last jockey, he shall within seven days after ceasing to be an agent for any jockey, either become an agent for another jockey or deliver his license to the stewards for delivery to the Commission.

**10.12** No applicant for a jockey agent's license shall be eligible for licensing unless his past experience in thoroughbred racing is acceptable to the board of stewards or Supervisor of Racing, or the applicant has successfully completed an examination held by the board of stewards.

**10.13** NO Jockey's Agent or his or her spouse may own all or part of a thoroughbred horse racing in Ontario.

## **Chapter 11**

### **FROM PADDOCK TO FINISH**

See also Chapter 17, The Starter.

**11.01** A trainer shall have his horse in the paddock at the time appointed. He shall also attend his horse in the paddock, and be present to supervise its saddling, unless he has obtained permission of a steward to send another trainer as a substitute.

**11.02.1** The stewards may permit a horse to be excused from parading with the other horses and be led to the post, but such horse shall nevertheless pass the stewards' stand on its way to the post.

**11.02.2** Lead ponies and their riders shall be permitted to enter the saddling paddock or walking ring only with the permission of the stewards.

**11.03** After the horses enter the racing strip, no jockey shall dismount and no horse shall be entitled to the care of an attendant without consent of the stewards or the starter and the horse must be free of all hands other than those of the jockey or assistant starter before the starter releases the doors of the gate.

**11.04** In case of accident to a jockey or to his mount or equipment, the stewards or the starter may permit the jockey to dismount and the horse to be cared for during the delay, and may permit all jockeys to dismount and all horses to be attended during the delay.

**11.05.1** If a jockey is thrown on the way from the paddock to the post, the horse shall be remounted, returned to the point where the jockey was thrown and then ridden over the route of the parade to the post.

**11.05.2** If the jockey is so injured on the way to the post as to require another jockey, the horse may be taken to the paddock, another jockey obtained, and then ridden over any uncompleted portion of the exact route of the parade to the starting point.

**11.05.3** If a horse leaves the course while moving from paddock to post, it shall be returned to the course at the nearest practical point to that at which it left the course, and its jockey shall complete his parade to the post from the point at which it left the course.

**11.05.4** In case of a pre-start accident to a rider, horse or equipment, the starter may delay the race for such reasonable time as the stewards determine.

**11.06** In case the start of the horses at the post is delayed, the starter may permit jockeys to dismount and their mounts to be attended.

**11.07** When clear, a horse may be taken to any part of the track, but if the horse swerves or is ridden to either side so as to interfere with, intimidate or impede any other horse, it is a foul, and such horse may be disqualified.

**11.08** If in a race a horse leaves the course, it shall be disqualified.

**11.09.1** If a horse or jockey jostles another horse, the aggressor may be disqualified provided that the jostled horse or an additional horse or any jockey/s was/were not a major contributor to the incident.

**11.09.2** During a race no jockey shall cause interference deliberately or inadvertently by striking or touching another jockey's horse or equipment.

**11.09.3** For fouling or careless riding a rider may be fined or set down, or both, by the stewards according to the nature and seriousness of the offence.

**11.09.4** A jockey whose horse has been disqualified or who unnecessarily causes his horse to change his stride with a view to complaint may be fined or suspended.

**11.09.5** Any jockey against whom a foul is claimed shall be given the opportunity to appear before the stewards at the reviewing of the film and/or video tapes of the race in question, or at any other time agreeable to the stewards, before any penalty is imposed by them.

**11.10** Protests under any Rule in this Chapter shall be made only by the owner, trainer or jockey of the horse alleged to be aggrieved, and shall be made to the stewards or the clerk of the scales before or immediately after weighing in. But nothing in this Chapter shall prevent the stewards from taking such action as they may see fit in accordance with the Rules.

**11.11** An owner, trainer or jockey who makes a frivolous protest may be fined or suspended.

**11.12** Stewards are vested with sole authority to determine the disqualification of a horse or entry. Their decision shall be final.

**11.13** No person shall assist a jockey in removing from his horse the equipment that is to be included in the jockey's weight, except by permission of the stewards.

**11.14** No person shall throw any covering over any horse with the exception of a decoration designed for the winning horse at the place of dismounting until the jockey has removed the equipment that is to be included in his weight.

**11.15.1** In determining the extent of disqualification of a horse in any race, the stewards may place the disqualified horse behind such horse as in their judgment the disqualified horse interfered with, or they may place it last.

**11.15.2** Where a horse of one ownership or interest is coupled with a horse or horses of the same or another ownership or interest, the disqualification of one will not necessarily affect the placing of the other.

**11.16** A horse is a starter for all purposes of the Rules when the stall doors of the starting gate open in front of it at the time the starter dispatches the horses in a valid start.

**11.17(a)** Except as provided by Rule 11.17(b) no horse shall be permitted to enter unless it has been tattooed and fully identified.

(b) Notwithstanding the provisions of rule 6.01(a) and 11.17(a) a horse from outside North America, nominated to a sweepstakes in Ontario, upon application to the stewards and upon their being satisfied that the horse is fully and properly identified may, in any calendar year, enter and start in its first race in Ontario without having been tattooed or registered with and approved by the registry office of the Jockey Club (New York).

**11.18** If the stewards are satisfied that the riding in any race was wilfully foul or that any jockey/s was/were instructed or induced so to ride, all persons reasonably suspected of complicity shall be suspended pending a hearing by the stewards.

**11.19** Permission shall be obtained from a steward to exercise a horse between races unless the horse is being warmed up on the way to and just before entering the paddock for the next race to be run. When a horse is being so warmed up before entering the paddock, his head number shall be displayed.

**11.20** In a race, each horse shall carry a conspicuous saddlecloth number and a head number, corresponding to its number on the official programme.

**11.21** The elapsed time of the post parade, starting when the first horse to race enters the racing strip from the paddock and ending when the first horse enters the starting gate, shall be determined by the stewards.

**11.22** If there is only one starter in a race, it shall be ridden past the stewards' stand, go to the post, move over the course and then be deemed the winner.

**11.23** In case of a walkover, the owner of the horse or horses walking over shall receive the earned share or shares of the purse money.

**11.24** At their discretion, the stewards may dispense with a walkover.

**11.25** When two or more horses run a dead heat, the dead heat shall not be run off.

**11.26** The owners of the horses in a dead heat shall divide equally the purse money involved.

**11.27** In a dead heat, each horse shall be considered a winner of the amount received according to the preceding rule.

**11.28** When two or more horses finish in a dead heat and a protest is made and allowed against a horse having finished in front of the dead heat, the horses which ran the dead heat shall be deemed to have run a dead heat for the higher position.

**11.29** Owners of horses in a dead heat shall divide equally all monies and other prizes and if no agreement can be reached as to which of them shall receive a cup, plate or other indivisible prize, they shall draw lots for it in the presence of one or more of the stewards.

**11.30** If a race has been run by all the horses at the wrong weights or over a wrong course or distance and if a protest is made and allowed before the flashing of the "Official" sign on the totaliser board, the stewards shall declare the race no contest.

**11.31** Where the stewards determine, after a race has started, that a horse or horses were prevented from having a fair chance to contest a race, due to exceptional circumstances and it is deemed in the public interest to do so, such horse or horses shall be declared non-contestants and the provisions of the Race Track Supervision Regulations of the Criminal Code pertaining to refunds shall apply.

**11.32** Should there be less than five horses finish in any claiming or allowance race the finishers shall be entitled to the same percentage of the purse as set forth by the conditions of that race.

**11.33** With the exception of rule 11.34(b), in all stakes races in which there are less than five finishers, the winner shall be entitled to the winner's percentage of the purse plus all unearned portions of that purse.



**11.34** (a) In the event of a walkover in all non stakes races, the horse involved is entitled to the winner's share of the purse.

(b) In the event of a walkover in a stakes race, the horse involved is entitled to all the stakes payments and entry fees plus the winners share of all added monies.

**11.35** All conversions from metric distances to furlong distances for the purpose of eligiiti for races shall be at the following equivalents:

2 FURLONGS	400 METERS
3 FURLONGS	600 METERS
4 FURLONGS	800 METERS
4½ FURLONGS	900 METERS
5 FURLONGS	1000 METERS
5½ FURLONGS	1100 METERS
6 FURLONGS	1200 METERS
6½ FURLONGS	1300 METERS
7 FURLONGS	1400 METERS
1 MILE	1600 METERS
1 MILE AND 70 YARDS	1670 METERS
1 MILE 1/8	1800 METERS
1 MILE 3/16	1900 METERS
1 MILE 1/4	2000 METERS
1 MILE 5/16	2100 METERS
1 MILE 1/2	2400 METERS
1 MILE 5/8	2600 METERS
1 MILE 3/4	2800 METERS
1 MILE 7/8	3000 METERS
2 MILES	3200 METERS
2 MILES 1/16	3300 METERS

## Chapter 12

### CLAIMING RACES

**12.01.1** In claiming races, any horse is subject to be claimed for its entered price by any owner who:

- (a) is the holder of an owner's license, in good standing from the Commission and
- (b) is at the time of the claim the owner of a horse registered for racing at that race meeting and
- (c) has started a horse at that meeting in a race prior to or in the race in which the claim is submitted, or has started a horse in Ontario within the preceding thirty (30) calendar days, or



(d) is in possession of an open claim slip according to Rules 12.24.2(a) and 12.24.2(b) or

(e) is eligible to claim under Rule 12.29.

**12.01.2** The word 'horse' shall mean a 'stallion', 'mare', 'gelding', 'colt', or 'filly' which is duly registered with and approved by the Registry Office of The Jockey Club of New York.

**12.02** The claiming price of each horse in a claiming race shall be the entered claiming price and shall be printed on the day's official programme.

**12.03** A claim may be made by an authorized agent but only for an owner by whom he or she is authorized. However, when making out such claim the claim slip must include that authorized agents card number or said claim shall be voided.

**12.04** No claim shall be valid unless the claimant has a credit balance with the Horsemen's Bookkeeper in an amount sufficient to cover the claim plus any and all sales taxes applicable.

**12.05** No person shall claim his own horse or cause his own horse to be claimed directly or indirectly for his own account.

**12.06** A claim shall, in all cases, represent a bona fide offer by the claimant to buy, and on the owner to sell the horse in question at the claiming price. The stewards shall fully inquire into any and all circumstances leading them to believe that the above is not the case and shall punish violators in such manner as the facts warrant. (See Rule 12.17)

**12.07.1** No one may claim more than one horse out of any one race.

**12.07.2** Only one claim from owners having the same trainer will be allowed in any one race.

**12.08** If a horse is claimed, it shall not start in a claiming race for a period of thirty (30) clear days from the date of claim for not less than twenty-five per cent (25%) more than the amount for which it was claimed.

**12.09.1** If a horse is claimed, it shall not be sold or transferred to anyone in whole or in part, except in a claiming race, for a period of thirty (30) clear days from the date of claim. It shall not, unless reclaimed, remain in the same stable or under control or management of its former owner or trainer for a like thirty (30) clear days. It shall not race outside of Ontario for a like thirty (30) clear days, except after the end of racing in Ontario in any calendar year or in a stakes race.

**12.09.2** The papers of any horse that is claimed must remain in the Racing Secretary's Office for the next thirty (30) clear days after being claimed; or until the end of the current racing season.

**12.10** All claims shall be on forms and contained in envelopes furnished by the Racing Commission

**12.11** All claims must be signed, sealed, and the envelope time-stamped and deposited in a locked box at least 15 minutes before post time of the race in which the claim is made. Such box shall be in the custody of the Clerk of Scales.

**12.12** Not earlier than 15 minutes before and not later than ten minutes before each race, the clerk of the scales shall open the claims' box and note on the envelope containing each claim the official post time of the race in question which he shall take from the totalisator board. Immediately thereafter and in no event later than post time of each race, he shall deliver or cause to be delivered to the stewards all claims which were in the claims' box for the race in question. No money shall accompany the claim.

**12.13** After the race has been run all claimed horses shall be transferred to the claimant or his representative in the paddock. A claimed horse, if ordered to the retention area by the Stewards, must be accompanied by the claimant or his representative along with a Security Guard who will supervise the transfer of the claimed horse from the paddock to the retention area, and the responsibility of the said Security Guard shall cease immediately the claimed horse is within the confines of the retention area. Proper conduct of the testing procedure shall be the responsibility of the Test Inspector. Notwithstanding the responsibility of the Test Inspector, the previous Owner, Trainer or their representative shall witness the taking of the test and sign the test tag.

**12.14.1** If more than one person shall enter a claim for the same horse, the disposition of the horse shall be decided by lot by one of the stewards or his deputy, and the person so determined to have the right of the claim shall become the owner of the horse.

**12.14.2** In the event that more than one claim is submitted for any horse in any race, the successful claimant shall be determined by lot (O.R.C. Rule 12.14.1) and all unsuccessful claims involved in the decision by lot shall become, at that time, null and void, notwithstanding any future disposition of such claim.

**12.15** When a horse is claimed in another recognized racing jurisdiction, title to such horse shall be accepted in Ontario in accordance with the rules of the jurisdiction in which the claim was made.

**12.16** Any person refusing to deliver a claimed horse shall be suspended and his case referred to the Commission and such horse shall be disqualified until it is delivered to the purchaser subject to the finding of the Commission.

**12.17** If the stewards are of the opinion that any person is claiming a horse for the benefit of another they may require such person to give an affidavit substantiating that such claim is made only on his own behalf.

**12.18.1** Title to a claimed horse shall vest in the successful claimant from the time the stall doors of a starting gate open in front of such horse at the time the starter dispatches the horses in a valid start for that claiming race. The successful claimant shall take possession of the claimed horse according to the rules whether said horse is alive or dead, sound or unsound, or injured during or after the race.

**12.18.2** When a claim has been lodged it is irrevocable, and is at the risk of the claimant. Determination of the true sex of a claimed horse shall be the sole

responsibility of the claimant, and mistakes in that regard printed in the official program or elsewhere shall not be considered basis for invalidating the claim.

**12.19** Each horse shall run for the account of the person in whose name it starts.

**12.20** No person shall attempt by intimidation to prevent anyone from running a horse in any claiming race for which it is entered.

**12.21** No person shall offer or enter into an agreement to claim or not to claim or attempt to prevent another person from claiming any horse in a claiming race; nor shall any owner or trainer running horses in any claiming race make any agreement for the protection of his or any other person's horses.

**12.22** No person or persons shall enter or allow to be entered in a claiming race a horse against which any claim is held, either as mortgage, bill of sale or lien of any kind, unless the holder of the due obligation signs an official consent form. This form must be put on file prior to entry with the Racing Secretary of the Association conducting the meeting.

**12.23** If a filly or mare has been bred she is ineligible to enter into a claiming race unless either (i) or (ii) of the following conditions is fulfilled:

(i) (a) Full disclosure of this fact is on file with the Racing Secretary and such information is posted in his office.

The breeding slip has been deposited with the Racing Secretary's Office.  
(All information contained on the slip shall be confidential).

(c) All payments due for the service in question and for any live progeny resulting from that service are paid in full.

(d) The release of the breeding slip to the successful claimant at the time of claim is guaranteed.

OR

(ii) A licensed veterinarian's certificate dated at least 40 days after the last breeding of that mare or filly is on file with the Racing Secretary's Office stating that the mare or filly is not in foal.

**12.24.1** An owner who fails to maintain at least one horse in the approved stabling area or loses all his horses by sale shall have no right to claim under Rule 12.01.1. If, however, due to the lack of stall space the racing association is unable to allot stalls for the use of an owner, that owner may apply for permission from the stewards to claim.

**12.24.2(a)** When an owner racing in Ontario has lost his last horse (12.24.3) by claiming, even though that owner may own or partially own a horse or horses elsewhere than Ontario, that owner may, provided he is otherwise eligible, have the right to claim for the next 30 racing days under an open claim slip. These 30 racing days must be held at a recognized meeting conducted under these rules and held by the Racing Association at whose meeting that person's last horse was claimed or at any meeting of any Racing Association which is a business associate

of the original association in question. The right to claim under an open claiming slip shall be null and void if the owner claims, purchases or otherwise acquires a horse prior to the expiry date of that certificate. The right to claim under the open claim in question shall be void when the expiry date of that slip has passed. Any unexpired portion of the thirty (30) racing days permitted under this rule may extend beyond that current calendar year into the next racing season. Any horse obtained under this rule may not be used as a qualifying horse under Rule 12.01.1(a), (b) or (c) in any further claim until said horse has started in a race following its having been acquired.

- (b) In order to claim under this rule the claimant must, prior to submitting a claim, complete an open claim application which must be approved by the stewards and included when submitting a claim. Should the claimant lose the shake for a horse, the open claim slip shall be returned to the claimant for his use until outdated.
- (c) The right to claim under this rule may be renewed at the discretion of the stewards. The stewards may permit the right to claim under Rule 12.24.2 if they determine that an owner's last horse is unable to race for an extended period due to physical infirmities.

**12.24.3** The stable of an owner racing in Ontario shall be deemed to consist of only those horses that were, at the time the stable was eliminated by claiming, registered with an Ontario racing association for the current year.

**12.24.4** An owner claiming under Rule 12.24.2, shall not have the right during the thirty day period to bring in to the track any horse wholly owned by him which at the time he qualified under Rule 12.24.2, was wholly or partially owned by him but was not stabled in the approved stabling area.

**12.25** When a horse has been claimed or sold and a urine or other test subsequently discloses that an improper medication or drug was administered and the stewards suspend such horse from racing, such suspension shall remain in effect until it is rescinded by the Stewards or the Commission.

**12.26** No person other than an authorized agent acting for his principal shall claim a horse for, or on behalf of any other person and, for the purposes of the claiming rules, an owner making a claim by merely executing said claim declares that he is claiming on his own account.

**12.27** No horse which is leased may be used by the lessee as a qualifying horse for the purpose of claiming. However, a lease from a person to a corporation, of which the majority of voting shares are owned by such person or vice versa, shall be an exception to this rule. In the event that a leased horse be claimed, the lessee at the time of the claim shall have the right to reclaim said claimed horse for the next 30 clear racing days after the date of the prior claim.

**12.28** Any purse monies shall not be released to owners for 48 hours after



being won, and if a holiday immediately follows, the money shall not be released for a period of 72 hours.

**12.29** Any potential ownership which is desirous of entering racing in Ontario by claiming a horse, and does not qualify to claim a horse under Rule 12.01.1 (a), (b) and (c) may be granted the right to claim a horse under an initial claim permit, by the Commission, provided the following conditions are fulfilled: —

- (a) a payment of \$100.00 is made to the Ontario Racing Commission to initiate investigation as to that ownership's suitability to hold a license. The fee of \$100.00 will include new owner's license fee of \$25.00.
- (b) an application has been made and held pending until all necessary investigation has been completed to the satisfaction of the stewards or the Supervisor of Racing.
- (c) no attempt has been made by the potential owner to claim under this rule during the first thirty (30) clear calendar days of any racing season in Ontario.
- (d) the above right to claim shall be valid for only one horse unless the claimed horse is physically incapable of starting in Ontario during the next forty-five (45) days of being claimed, such ability shall be determined by the Commission Veterinarians.
- (e) such initial claiming permit shall be null and void if not exercised within the first sixty (60) clear calendar days of being approved by the stewards or the Supervisor of Racing.
- (f) an extension is granted into the next racing season by the Stewards or Supervisor of Thoroughbred Racing.

**12.30** Any owner who is participating in a partnership which has raced horses in the current and preceding year may be permitted to use a horse which would qualify the partnership to claim under Rule 12.01.1(b) and (c), to claim on his own behalf provided that the partnership has not entered a claim in the same race, and the owner in question qualifies to claim under all other rules of the Ontario Racing Commission. This owner shall have all the claiming rights of licensees qualifying to claim through other procedures.

**12.31** Any owner entitled to claim on his own behalf under the Ontario Racing Commission rules, is entitled to claim in a partnership with any other licensee or licensees who are entitled to claim on their own behalf.

**12.32** It is the responsibility of anyone making claim to see that the claim is properly executed. In the event the Stewards find that the claim is improperly executed, they may take any action within the Rules of Racing they deem necessary, including declaring the claim invalid.

**12.33** Should notification be received by the Stewards, from the official chemist, that a positive test has been determined on an official sample from a claimed horse, the claimant of the said horse shall have the right to request of the Stewards that the claim be declared invalid. Such request must be made within 72



hours of the claimant, his or her trainer, or authorized agent, receiving notification of the positive test from the stewards.

**12.34** Any owner whose last horse, registered to race in Ontario, dies, receives physical damage necessitating euthanasia or interruption from racing for 90 or more days, may request from the stewards permission to claim one horse within the next 60 days of that date. In the event of injury this request must be accompanied by notification from the Commission Veterinarians that the consensus of opinion of the practising veterinarian and themselves is that the injured horse should not race for 90 days. The papers for the injured horse shall remain in the secretary's office for the next 90 days and that horse shall not be eligible for entry, with the exception of stakes races, until the 90 days have expired. The stewards may grant removal of the papers prior to the 90 days if they feel there are sufficient extenuating circumstances.

## Chapter 13

### PROTESTS, OBJECTIONS AND APPEALS

**13.01.1** In order to be recognized, every protest must be made by the owner, trainer, jockey or racing official to the clerk of the scales or to the stewards.

**13.01.2** Every complaint against an official shall be made to the stewards in writing signed by the complainant.

**13.02** Every protest shall be finally determined by the stewards, but an appeal may be directed to the Commission on matters of interpretation of the Rules or on any matter other than a question of fact. Notice of Appeal shall be given in writing to the Secretary-Treasurer of the Commission within ten days of the decision becoming known upon a form, copies of which shall be furnished by the Commission.

**13.03** A protest arising out of the happenings in the running of a race shall be made before the official sign has been posted.

**13.04.1** A protest on the grounds:

- (a) of misstatement, omission or error in the entry under which a horse has run; or
- (b) that a horse which ran was not the horse or was not of the age which it was represented to be at the time of entry; or
- (c) that a horse was not qualified under the conditions of the race or by reason of default; or
- (d) that a horse has run in contravention of the Rules; or
- (e) not otherwise provided in the Rules;

shall be made within 48 hours after the finish of the race with respect to which the protest is made, excluding Sunday.

**13.04.2** A protest, except one arising out of happenings in the running of a

race, shall be made in writing, signed by the complainant and delivered to the stewards.

**13.05** Protests not lodged with the stewards prior to the termination of the meeting shall be made to the Commission at its principal office in Toronto.

**13.06.1** If a protest that a horse is ineligible is delivered to the stewards at least one hour before post time of the race in question, the stewards shall give such protest immediate consideration. The onus of proof throughout shall be with the protester. In default of proof at least 30 minutes before post time of the race in question that the horse is not qualified to start, the said horse shall start. Any such protest must be accompanied by a \$500.00 deposit cheque which shall be forfeited if the protest is denied.

**13.06.2** A protest respecting the distance of a race shall be delivered to the stewards at least one hour before post time of the race in question.

**13.07** A protest alleging fraud may be delivered at any time.

**13.08** Pending the determination of a protest, any money or prize won by the owner of the horse with respect to which the protest is made, and any other money affected by the outcome of the protest, shall be withheld by the Association until the protest is determined, and if the money or the prize handed over before the protest is made the stewards shall order them returned if the protest is sustained.

**13.09.1** Before considering a protest or appeal, the stewards may require a deposit of \$50.00, which shall be forfeited to the Commission if they consider the protest or appeal to be frivolous or vexatious.

**13.09.2** A person making a protest, which the stewards decide to be frivolous, may be fined, suspended or ruled off.

**13.10** A protest shall not be withdrawn without leave of the stewards.

**13.11** All costs and expenses incurred in determining a protest or conducting an enquiry shall be paid by such person and in such proportion as the Commission or the stewards, as the case may be, may direct.

**13.12** If a protest against a horse which has won or placed is allowed, and a race or place is awarded to another horse, the money for such race shall be distributed in accordance with the final placing.

**13.13** Pending the determination of a protest, any money held by the Association as the price of a horse claimed in a claiming race (if affected by the protest) or pursuant to the provisions of Rule 13.08 shall be withheld until the protest is determined.

**13.14** When, after the posting of the "Official" sign immediately after a race has been run, a horse is disqualified as a result of a protest, or by reason of a positive urine or blood test, such disqualification shall in no way affect the wagering on the race.

**13.15** The stewards shall promptly investigate any protest or complaint properly made to them and render their decision as quickly as possible and

forthwith report the subject matter of the protest or complaint and their disposition of it to the Commission. Should the stewards not have come to a decision within 72 hours of the time of the completion of the stewards' hearing, it shall be accepted by all persons concerned that the stewards have taken no action and imposed no penalty, and the stewards shall take no action and impose no penalty after the expiry of the 72 hours mentioned; provided, however, that in such case, the Commission may review the deliberations of the stewards and make such order and impose such penalties as it may deem just.

## **Chapter 14**

### **SAFETY AND SECURITY**

**14.01.1** Racing Associations shall take every reasonable precaution to make their premises safe for the protection of the persons and property of patrons and licensees.

**14.01.2** Each Association shall police its grounds at all times in such a manner as to prevent the admission of any person in and around the stables excepting those having valid business or duly licensed by the Commission.

**14.02** No Commission licensee shall be mounted on a horse on the grounds of any race track or training track unless he is wearing a safety helmet of a type approved by the stewards.

**14.03** Each Association shall have in attendance at each race track at which horses are being raced or exercised adequate man-ambulances and horse-ambulances, staffed with adequate personnel to render first aid and transport injured persons or horses to the closest place available for medical or veterinary treatment, as the case may be; such ambulances shall be placed at an entrance to the racing-strip.

**14.04** Associations shall not post or enforce track rules which are in conflict with any provision contained in the Ontario Racing Commission rules. Track rules shall be posted in either the paddock and/or offices of the race secretary. The stewards may impose a fine or suspension, or both, for a violation of any of the track rules specifically adopted by the stewards.

## **Chapter 15**

### **ILLEGAL AND CORRUPT PRACTICES**

**15.01.1** Jockeys shall not wear spurs.

**15.01.2** Jockeys' whips shall not exceed 30 inches in length including the popper on the whip and all whips shall have feathers attached to them in such manner as is approved by the stewards.

**15.01.3** No electrical or mechanical device or other expedient designed to

increase or decrease the speed of a horse (or that would tend to do so) other than the ordinary whip, shall be possessed by any one or applied by any one to a horse at any time on the grounds of an Association during a meeting whether in a race or otherwise.

**15.02.1** No persons except physicians, Commission Veterinarians or veterinarians licensed by the Commission and their student assistants licensed by the Commission shall have in or upon the premises or motor vehicle which he/she occupies or has the right to occupy, or in his/her personal effects within the grounds of a racetrack where race horses are lodged and kept:

- (a) any hypodermic syringe, hypodermic needle or any other device which could be used for the injection or infusion into a horse of any substance and/or,
- (b) any injectable which might be administered by a hypodermic syringe, hypodermic needle or device (known technically as a substance for parenteral administration), without first securing written permission from the Supervisor of Thoroughbred Racing or the stewards. For the purpose of this paragraph, the interpretation of "injectable" shall be decided by the stewards or Commission in such manner as the Commission thinks just and conformable as to the usages of the turf.

**15.02.2** A Commission Veterinarian may take samples of any medicine or other materials suspected to contain improper medication or drugs which would affect the racing condition of a horse in a race, which may be found in stables or elsewhere on the grounds of any Association or in the possession of any person connected with racing, and such samples shall be delivered to the Analyst for analysis.

**15.02.3** A horse that bleeds in a race in Ontario for the first time in any calendar year will be placed on the Bleeder List. A horse that bleeds for the second time in Ontario within 12 consecutive months from the date of being placed on the Bleeder List will be ineligible to enter or race in Ontario for six consecutive months from the date of the race in which he bled for the second time.

**15.02.4** A trainer shall not enter or start, nor shall a Commission Veterinarian pass a horse as fit; sound and ready for racing if such horse:

- (a) Has been nerved except, a horse that has had a posterior digital neurectomy may be permitted to race provided that the exact surgical site and date of the operation have been reported and recorded, and the record is attached to its registration and eligibility papers or
- (b) Has impaired eyesight in both eyes.

Owners and trainers are advised that paragraph (a) will be interpreted by a Commission Veterinarian and his decision shall be final.

For the purpose of this rule a horse that has been nerved, blocked with alcohol or any other drug or medicament that desensitizes the volar or plantar nerves will be deemed to have been nerved within the meaning of this rule.



**15.02.5** The Commission Veterinarians will record all information in connection with nerved horses on the pre-race card kept by the Commission. The information as to whether a horse has been nerved is available to licensed owners or trainers upon receiving permission from the stewards.

**15.02.6** All denerved horses must be registered with a Commission Veterinarian on forms provided by the Commission for that purpose. No unregistered denerved horses shall be entered in a race nor shall a horse be registered as denerved when in fact it has not been denerved. For failure to report a denerved horse or for reporting a horse denerved when it has not been denerved, the stewards may impose such penalties as they think proper within the limits prescribed by the Rules of Racing, and in their discretion may recommend to the Commission the imposition of more severe penalties.

**15.02.7** The Commission Veterinarians shall keep posted in the Racing Secretary's office a list of all horses denerved.

**15.02.8** Subject to Rule 15.02.1 above, if in an emergency and in the absence of all practising or Commission Veterinarians from the grounds of the Association conducting racing, it becomes necessary for any reason for the owner, trainer or attendant who has the care and control of a horse, to administer or cause to be administered orally any drug to such horse and, if at the time of such administration the horse has been entered in a race, the said owner, trainer or attendant shall report the matter fully to the Commission Veterinarian as soon as he returns to the grounds, who shall immediately report the incident in writing to the stewards or any of them as soon as one or more of them comes upon such grounds and the stewards shall scratch such horse or permit it to run as they may deem proper.

**15.03.1**

(a) - Urine and/or blood samples shall be taken from the winning horse of every race, and from such other horse/s as the Stewards or Commission Veterinarian shall direct. Such horse/s shall be sent immediately after each race to the retention area and placed in the custody of an employee of the Ontario Racing Commission or Federal Department of Agriculture and/or,

(b) The Stewards or Commission Veterinarian may direct the carrying out of any other examinations as may be ordered.

The owner, trainer or designated representative of the trainer shall be present in the designated area when any specimen/s are taken from or examination made to a horse under his care, and shall remain until the sample tag attached to the specimen shall be signed by him/her as witness to the taking of specimen or the examination is completed.

**15.03.2** The taking of the tests shall be the responsibility of the Chief Test Inspector, and those under his supervision shall perform such duties as may be assigned to them by him.



**15.03.3** Part V of the Race Track Supervision Regulations under the Criminal Code recites the procedure to be followed in the collection and identification of urine or blood specimens from horses at the tracks, and all officials shall adhere to these rules.

**15.03.4** If a Urine Inspector is unable to get a urine sample within one hour of the time the horse starts walking or the horse being tested has had a urine sample abandoned in the current racing year, the Chief Test Inspector shall contact an Ontario Racing Commission Veterinarian who will withdraw a blood sample following the prescribed procedure set down by the Canadian Department of Agriculture, provided the following conditions are adhered to:

- (a) The owner or trainer of the horse in question must sign the Ontario Racing Commission Responsibility Form.
- (b) One of the Commission Veterinarians shall draw the blood sample and it shall be collected in the prescribed manner and the sample shall be packaged and sealed in the prescribed method and the trainer or his representative shall witness same and sign test card.

**15.03.5** All abandoned urine tests shall be reported to the stewards as soon as conveniently may be upon abandonment.

**15.03.6** No person shall be admitted to the testing enclosure except the staff immediately in charge of such work, members of the Commission, duly accredited representatives of the Canada Department of Agriculture, officials, employees and persons authorized by Urine Service Rules, the Supervisor of Thoroughbred Racing, the Stewards, any Commission Veterinarian, a representative of the Association and such other persons as may be authorized in writing by the Commission.

**15.03.7** If the stewards find that there has been improper interference or substitution in the taking of a urine specimen under Rule 15.03.1, subject to Rules 15.04.2 and 15.04.4, they shall take such action as they deem proper against any person found by them to have improperly interfered with the taking of the urine sample or substituted for the urine sample.

**15.03.8** No horse shall be allowed to race in the Province of Ontario if the permission for the taking of such blood sample is refused, unless the Commission Veterinarian, for good cause in his judgment, excuses the taking of the sample.

**15.04.1** Should the Official Chemist's report on urine, blood or other samples taken from a horse be positive, he shall forthwith notify the Stewards or Commission by telephone and this notification shall be taken as prima facie evidence of a positive test. He shall confirm such findings by special delivery prepaid mail to the Commission and Presiding Steward.

**15.04.2(a)** When the Supervisor of Thoroughbred Racing or the Stewards receive notification from the Official Chemist that an official sample has been found positive, he or they shall at once summon the trainer, or his representative and

such security officers of the Racing Association as they choose to assist and inform them that a positive test has occurred.

- (b) The Supervisor of Thoroughbred Racing or the Stewards shall direct the security officers and a Commission Veterinarian to accompany the trainer to the stable, and to conduct in the trainer's presence, or the trainer's representative's presence, a thorough search of the trainer's barn, automobile, and any other vehicles he may have in his possession or under his control. The Supervisor or whomever he appoints shall continue the investigation, taking evidence from all persons concerned and all statements shall be recorded on a tape recorder, if possible.
- (c) As a result of the evidence gathered, the Stewards shall inform the trainer:
  - (i) that they are now prepared to hear the evidence, and that until the hearing is held he will be allowed to continue with his business, except that the horse in respect of which the positive test was obtained may not be entered by anyone without special authority of the Stewards or Commission, granted on application of the owner; or
  - (ii) that they are now prepared to hear the evidence, and that until the hearing is held he has been suspended. In this case none of the horses in the trainer's custody shall be allowed to start until such time as the Stewards have finally disposed of the matter or until the horses have been turned over to other trainers approved by the Stewards, except that the horse in respect of which the positive test was obtained may not be entered by anyone without special authority of the Stewards or Commission, granted on application by the owner; or
  - (iii) that his case is being referred to the Commission and that until the commission hears the case he will be able to continue with his business, except that the horse in respect of which the positive test was obtained may not be entered by anyone without special authority of the Stewards or Commission, granted on application of the owner; or,
  - (iv) that his case is being referred to the Commission and that until the Commission hears the case he has been suspended. In this case none of the horses in the trainer's custody shall be allowed to start until such time as the Commission has finally disposed of the matter or until the horses have been turned over to other trainers approved by the Stewards, except that the horse in respect of which the positive test was obtained may not be entered by anyone without special authority of the Commission granted on application by the owner, until the Commission has finally disposed of the matter.
  - (v) should the official laboratory report a positive test in any race, the stewards shall notify the owner/s of any horse, which could be declared

the winner in the resulting hearing, that his/their horse is running under the conditions of rule 6.33 until the final determination of said hearing.

- (d) In the event that the Stewards receive notification from the Official Chemist that an official sample has contained a substance causing the sample to be classified "suspicious" the stewards shall follow the procedure outlined in 15.04.2(a) and (b) as if the sample were positive. After completing this procedure the Stewards shall investigate the circumstances and then file a summary of their investigation with the Director of the Ontario Racing Commission.
- (e) The Stewards shall inform the owner and the Racing Association concerned as expeditiously as possible of their actions regarding the situation and that a decision will be handed down by the Stewards within 72 hours.
- (f) The procedure detailed in paragraph 15.04.3 and in sub-paragraph (a) to and including (e) of paragraph 15.04.2 is also to be followed exactly when the urine or blood sample received by the official chemist is determined by him to be not entirely horse urine or blood.

**15.04.3** When a horse is found to have been administered a prohibited medication resulting in a positive test, such horse shall be declared unplaced for every purpose except pari-mutuel wagering.

**15.04.4** When the Analyst certifies that a test is positive, the owner of such horse shall be denied, or shall promptly return, as the case may be, any portion of the prize or sweepstakes and any trophy in such race. The distribution to be made by the racing association of any portion of the prize or sweepstakes and any trophy which such owner has been denied or has returned, shall be determined by an order of the Commission, after the Commission's investigation into the positive test has been completed. If a horse shall be disqualified under this rule, the eligibility of other horses which ran in such race, and which have started in a subsequent race, before announcement of such disqualification or notification by the stewards that their horse is now running under the conditions of rule 6.33, shall in no way be affected. In the event that a horse establishes a track record in a race and it later develops that the horse has a positive test, then such track record shall be null and void.

**15.05** If the stewards find that any drug has been administered to a horse before a race, subject to Rules 15.04.2 and 15.04.4, they shall take such action as they may deem proper against any person found by them to have administered or attempted to administer any such drug.

**15.06.1** The trainer, groom and any other person who, in the opinion of the Stewards or the Commission, has charge, custody or care of a horse;

(a) - is obliged to properly protect the horse, guard it against the administration of a prohibited drug, protect the horse, and guard it against

wrongful interference, or a substitution by anyone in taking of a urine or blood sample.

(b) - If such person should fail to so protect and guard the horse, he or they will be regarded as bearing some of the responsibility along with the person who actually administered such drug, or wrongfully interfered with or substituted in the taking of a urine or blood sample. Where the Stewards find a failure to properly protect a horse, subject to Rules 15.04.2 and 15.04.4 they shall impose such penalty and take such action as they deem proper, or shall refer the matter to the Commission.

**15.06.2** After a hearing of the Commission or stewards, if it is determined that the horse had a positive test and that the trainer, groom, or other persons, having charge, custody or care of the horse fail to so protect the horse, and

(a) that the evidence before the Commission or Stewards leads the Commission or Stewards to find that the positive test could have been the result of feeding, or feeding in excessive quantities, a supplementary feed, and such feeding was done on the advice of a veterinarian;

**AND**

(b) that the veterinarian failed to advise the trainer, groom or other person having charge, custody or care of the horse that the feeding or over feeding of the supplementary feed could result in a positive test;

**THEN**

Such veterinarian, if licensed to practice on the track by the Commission, may have his license suspended, or be fined, as the Commission or Stewards may decide, or if not so licensed, may be refused a license as the Commission or Stewards may decide.

**15.07.1** No trainer shall employ or harbour anyone under suspension by any Racing Board or Commission which is a member or associate member of the National Association of State Racing Commissioners.

**15.07.2** A trainer shall not have in his charge or under his supervision any horse owned, in whole, or in part by a suspended or unlicensed owner.

**15.08.1** No one interested in the result of a race by reason of ownership in a participating horse, wagering or otherwise, shall act in any official capacity in connection with the running of a race.

**15.08.2** No employee of the Commission or racing official shall wager on the outcome of a race, nor shall any such employee or licensee of the Commission or employee of any Association give to anyone, directly or indirectly, for reward or any other consideration, any information or advice pertaining to a race for the purpose of influencing any person, or that would tend to do so, in the making of a wager on any horse in any race. In the case of Association employees this shall not apply to selections which appear in the official program, newspapers, other



approved publications, or over the radio, television, or to the selling of approved publications.

**15.09.1** Any act or omission which, when measured by generally accepted standards of good conduct; morally, financially or in business practice; would be regarded as dishonest, unfair or unsportsmanlike, or contrary to public interest, shall be deemed to be an illegal practice under these rules and shall be dealt with accordingly in the discretion of the stewards.

**15.09.2** No person shall tamper or attempt to tamper with any horse in such a way as to affect its speed in a race, or workout required by the stewards.

**15.09.3** No person shall aid, abet, counsel or conspire with any other person in the violation of the Rules and should he do so, he will be regarded as culpable as the principal.

**15.10** No person shall give, offer, or promise directly or indirectly, either on his own behalf or on behalf of another, any bribe, gift or gratuity in any form for the purpose of improperly influencing the result of a race or which would tend to do so.

**15.11** No person licensed by the Ontario Racing Commission shall accept or offer to accept on his own behalf or on behalf of another any bribe, gift, or gratuity in any form which could or might tend to influence the result of a race.

**15.12** The Commission, all persons operating race tracks or conducting race meetings, the Supervisor of Thoroughbred Racing, any one of the stewards and the Security Chief shall have the right to permit a person or persons authorized by any of them to enter in or upon the buildings, rooms, vehicles or other places within the grounds of any racing Association to examine, search and inspect them and the personal property and effects of any persons in or upon such places.

**15.13** Every person who is granted a license by the Commission by accepting his license, consent to the examination, search and inspection referred to in Rule 15.12, and to the seizure of any hypodermic syringes, hypodermic needles or any other device described in Rule 15.02.1, and all drugs and medicaments of any kind which might be in his possession.

**15.14** The results of any examination, search, inspection or seizure described in these Rules shall be daily reported orally to the stewards and at the end of each race meeting to the Commission in writing by the person who ordered such examination, search or inspection.

**15.15** No owner or trainer shall accept, directly or indirectly, any bribe, gift or gratuity or other benefit in any form which might influence the result of any race, or tend to do so, or which is offered for that purpose or which is offered to induce an owner or trainer to withdraw a horse from or not to enter a horse in a race. The owner or trainer shall report to the stewards the making of any such offers.

**15.16** In cases where a horse has bled during a race or a workout to the knowledge of one of the Commission Veterinarians, the horse may be pre-race



medicated, provided that the administration is of a substance which is a coagulant or other medicant recognized as a treatment to stop bleeding, and is also not included in the group of prohibited medications under the Race Track Supervision Regulations of the Criminal Code. The administration of the medication must be done by a licensed veterinarian who shall report all details in writing to a Commission Veterinarian who shall pass such report to the Stewards for their approval before the horse can start. Such medication shall be continued to be administered while in the same ownership, in the same manner before each start during that racing season unless permission to discontinue administration is given by the Stewards.

**15.17.1** In the event the horsemen's bookkeeper accepts a deposit for any owner's account he shall keep a record of who deposits the money, and in what form the deposit is made, and have it signed by the depositor should it be other than by cheque or money order.

**15.17.2** It is the duty of the horsemen's bookkeeper to immediately notify the stewards of any unusual money transactions between horsemen's accounts that would indicate any improper procedures or disposition of funds.

**15.18** No licensee shall place a wager on any other horse in any race in which he or she shall start a horse owned, trained, groomed, or in any way represented or handled by him or her as a starter. Nor shall he or she cause such a wager to be placed on his or her behalf except in the case of feature wagering events where he or she may bet or cause another person to bet on his or her behalf only on combinations in which his or her horse is selected in the win position. See also: Rules 9.10.1 and 9.10.2 Jockeys, 9.10.4 Outriders, Valets, 15.08.2 Commission or Racing Officials.

**15.19** Any act which, in the opinion of the stewards, could be deemed to be an act of cruelty shall be a violation of the rules and the perpetrator is subject to a fine or suspension. Insufficient care or abandonment shall constitute cruelty under this rule.

**15.20** The stewards shall take whatever action they deem necessary if they determine there is misuse of a whip during or after the running of a race.

**15.21** Any licensee appearing before the Board of Stewards, a Steward, or the Supervisor of Racing, must answer completely and truthfully any questions relating to racing.

**15.22** Any action taken to falsely cause or attempt to cause the scratching of a horse shall be contrary to the Rules of Thoroughbred Racing and may result in a suspension or fine being levied against the perpetrator or perpetrators by the stewards and Commission.

**15.23** Any person making any false, untrue or misleading statement on an application for a licence or registration or in a written or oral examination may be denied such a licence or registration or may be fined or suspended.

**15.24** When directed, the Stewards, Racing Officials and Jockeys shall be required to submit to a breath analysis test at any program at which they officiate or participate. When such a test results in a reading of .03 or more of alcohol in the blood, the operator shall report such finding at once to the stewards. A Jockey showing a reading of .03 percent or more shall be subject to one of the following penalties:

- (a) If a reading is not less than .03 percent and not more than .05 percent, he or she shall not be permitted to ride in any races scheduled for that day and shall be fined \$100.00.
- (b) If the reading is more than .05 percent, he or she shall not be permitted to ride in any races scheduled for that day. Also, he or she shall be fined \$200.00 for a first offence, and fined \$500.00 and suspended from riding for a period of thirty (30) days for a second offence committed within a 24 month period. Repeated offences under either (a) or (b) may result in more severe penalties being set by the Stewards at their discretion.

**15.25** Any person who refuses to submit to a breath analysis test, as required by these rules, shall be liable to the same or like penalties as prescribed in Rule 15.24.

## **Chapter 16**

### **STEWARDS**

**16.01.1** There shall be a board of three stewards appointed by the Commission for each racing day.

**16.01.2** All questions to be decided by the stewards shall be determined by a majority vote, but honorary and associate stewards shall not vote on decisions of the stewards. If, for any reason, only two stewards are present when a vote is taken, and the vote is a tie, the senior Commission Steward shall have an extra vote to break the tie.

**16.01.3** Stewards shall not be employed by an Association in any other capacity during the time he acts as a steward. Exceptions to this rule may be authorized by the Commission.

**16.01.4** In the event of the absence of a Commission steward from duty, the remaining Commission steward shall appoint a fully qualified person to act as Commission steward for the 24 hours after the absence has become known, and inform the Chairman of the Commission of his action by the speediest possible means.

**16.02.1** Subject to the powers and duties of the Commission and the Supervisor of Thoroughbred Racing, the stewards have the power to govern, and it is their duty to regulate and govern the conduct of all racing, racing officials and owners, trainers, jockeys, grooms and all persons attendant upon horses.

**16.02.2** Subject to the powers and duties of the Commission, the stewards have power to interpret the Rules and to decide all questions not specifically covered by them.

**16.02.3** In the performance of their duties, the stewards shall have reasonable control over and unrestricted access to all buildings, stables, rooms and all other places within the grounds of any Association.

**16.02.4** In all matters pertaining to racing, the orders of the stewards shall supersede the orders of the officers, directors and officials of the Association.

**16.02.5** All entries, declarations and scratches shall be under the control and supervision of the stewards.

**16.02.6** The stewards shall assume their powers and the duties at one minute after midnight on the day before the first day of each meeting and shall hold them until one minute before midnight on the day following the last day of each meeting and no racing official who has been approved by the Commission shall absent himself from his duties without permission of the stewards.

**16.02.7** One of the stewards shall be on duty from 30 minutes before scratch time until after the drawing of post positions.

**16.03** No person while acting at a track as a medical officer, steward, director of racing, racing secretary, handicapper, starter, placing judge, patrol judge, clerk of the scales, horse identifier, paddock judge, timer, jockeys' room custodian, Commission Veterinarian, Commission Clerk, or as an assistant to any of those heretofore named shall have any interest directly or indirectly in any horse participating in racing on the circuit in which the meeting is included, or any monetary interest in any business which seeks the patronage of horsemen as such.

**16.04** It shall also be the duty of the stewards, when they deem it advisable, to take such action in advance as they may regard as necessary to prevent an infraction of the rules.

**16.05** The stewards shall take any action they deem necessary, including the warning off or ordering the ejection from the grounds of all persons who, by reason of past or present conduct would be regarded as objectionable should they find such person has in any manner or at any time:

- (a) Disturbed the peace.
- (b) Made themselves obnoxious on the grounds of any association.
- (c) Shown disrespect by word or action to any official of racing.
- (d) Falsified, misrepresented or omitted required information on a licence application.

The Racing Association shall enforce such an order.

**16.06** It is the responsibility of the stewards to get the horses to the post at post time.

**16.07** The stewards may demand proof that a horse is not disqualified in any

particular race or that it is not entered, owned or trained, in whole or in part, by a disqualified person, and in default of satisfactory proof, the stewards may disqualify the horse.

**16.08** Any Steward presiding at a race meeting, or the Supervisor of Racing, may require of any owner, previous owner or trainer that he or she make a statutory declaration attesting to the bona fide ownership of a horse that is purported to be owned, previously owned or trained by him or her. The Steward or Supervisor of Racing may also require that any business agreements or transactions, financial or otherwise, made in regard to the said horse be included in the statement.

**16.09** The stewards may examine or order a Commission Veterinarian to examine and report upon any horse on the grounds of any Association, whether or not a meeting is being held on such grounds.

**16.10** Any owner or trainer who wishes to change equipment shall apply for permission to one of the stewards at a time agreeable to the stewards and no such change shall be made without such permission.

**16.11** The stewards may place the name of any horse on the Stewards' List for any reason they may deem to be proper. During the time a horse's name is on such list, it shall not race, nor shall it be entered in any race, except that it may be nominated in a stakes race. Only the stewards shall remove a horse's name from the Stewards' List.

**16.12** The stewards shall have the authority to declare a race no contest, and any such declaration by the stewards if made after the posting of the "Official" sign shall in no way affect the wagering on the race.

**16.13** The stewards may impose any or all of the following penalties for conduct prejudicial to the best interests of racing, or for a violation of the Rules:

- (a) Refuse an offender admission to the grounds of an Association.
- (b) Expel an offender from the grounds of an Association.
- (c) Suspend any Commission licensee for any length of time or indefinitely.
- (d) Impose whatever fine they feel is suitable and justifiable.
- (e) Prohibit any Commission licensee from driving a motor vehicle in the stable area.
- (f) Revoke the licence of any Commission licensee when the said licence was obtained fraudulently or under false pretenses.
- (g) Set limitations for a conditional licence for any licensee or applicant for a new licence.

**16.14** Should the stewards consider the penalties set out in Rule 16.13 inadequate for the offence committed, they shall immediately so report in writing to the Commission, and the Commission shall determine the matter.

**16.15** No owner or trainer shall move or permit to be moved any horse



owned by him or in his care from the grounds of an Association if forbidden to do so by the stewards.

**16.16** Any licensee who is the recipient of a notice of hearing form must select his or her option and complete the form within 10 days of receiving same. Failure to do so will result in the stewards setting the date of hearing and this date must be adhered to.

**16.17** The Stewards may set limitations for a conditional licence for any licensee or applicant for a new licence.

**16.18** The Stewards may stay the penalty of a fine or suspension under specific conditions set by the Board of Stewards.

## **Chapter 17**

### **THE STARTER**

**17.01.1** Only the starter or in his absence the assistant starter or in the absence of both a deputy approved by the stewards may start a race.

**17.01.2** The starter shall give all orders and take all measures necessary to ensure a fair start.

**17.01.3** The starter's decision as to the validity of a start shall be final; likewise his decision as to whether or not a horse was locked in the gate shall be final.

**17.01.04** The stewards may appoint one of their number to supervise the start of any race.

**17.02** If the starter or his assistants are unable, after reasonable efforts, to place a horse in the gate for a satisfactory start, or if the horse is fractious or unruly, the starter may order that horse started outside the gate, behind the starting line. Such horse shall be placed on the starter's schooling list, and, until removed therefrom by the starter, shall not be entered.

**17.03** Horses shall take their positions in numerical order from the inside rail, that order to be determined by post positions.

**17.04** Two year olds being entered for the first time shall be first approved at the starting gate by the starter or his assistant, and such approval in writing shall be forwarded to the Racing Secretary or his assistant.

**17.05** The approval of the starter must be obtained for all horses which have never started at an Ontario track if, in the starter's opinion, the horse's record indicates that such horse has been in trouble at the starting gate. A horse which has refused to leave a starting gate on any race track must be schooled to the satisfaction of the stewards and the starter, before being entered in any race.

**17.06.1** The starter shall maintain a schooling list, and horses shall be schooled to barrier or starting gate, if and when required under the personal supervision of the starter or his assistants.



**17.06.2** Only the starter shall have the authority to designate the horses which shall constitute the schooling list.

**17.07.1** The starter shall file a copy of the schooling list with the racing secretary.

**17.07.2** The starter shall report to the racing secretary as soon as a horse on the list has been schooled sufficiently to be permitted to start.

**17.07.3** Any horse whose name appears on the Starter's list shall not be eligible to enter or start in any race until the Starter orders its name to be stricken from the schooling list.

**17.08** The starter may fine or suspend a jockey for disobedience of his orders at the starting point or for attempting any unfair advantage or for unruly conduct or for the use of abusive language. A suspension by the starter shall not exceed ten (10) days and a fine levied by the starter shall not exceed \$200.00. Such fine and/or suspension shall be subject to the approval of the stewards.

**17.09** The starter shall report in writing to the stewards and to the racing secretary all fines and suspensions which he has imposed and no fines or suspensions, so reported, shall be modified other than by the Commission.

**17.10** All races shall be started from a starting gate approved by the Commission but, in the event of emergency, the Stewards may permit a race to be started without a starting gate, or may permit a race to be started with a starting gate with its doors open.

**17.11** When a race is started without a gate, there shall be no start until and no recall after an assistant starter has dropped his flag in answer to the direction of the starter.

**17.12** If no stall gate is used, each horse is entitled to a reasonable portion of the width of the track.

**17.13** In the event of there being more starters than the starting gate will accommodate, the surplus shall be started from outside the starting gate and those horses to start outside the gate shall be determined by a draw. If an owner has more than one starter in such situation then one of the horses chosen by draw from his entry shall start outside the gate. The remaining horses shall all be subject to the draw, inside or outside the gate. Provided that if after the foregoing there is accommodation for one or more horses in the gate, such accommodation shall be settled by draw among the horses outside the gate. All draws hereafter shall be in accordance with any general or special directions of the Stewards.

**17.14** If a horse is locked in the gate the starter shall immediately notify the stewards who shall order the horse scratched.

**17.15** If any horse of an entry or any horse grouped in the mutuel field leaves the starting gate in a valid start, all horses in the entry or mutuel field will be regarded as starters. In the case of a part of an entry or part of mutuel field which

has become locked in the gate; such horse shall be considered a non-starter in regard to conditions for future races only.

**17.16** The following rules related to starting gate safety shall be followed:

- (a) At all starts, Associations shall have some method of mechanically removing the starting gate from the racing strip.
- (b) In addition, a tractor shall be available at the starting gate for emergencies.
- (c) No person shall ride on the starting gate while it is in motion, except the person steering the hind wheels. That person must be seated on the seat supplied for this purpose.

**17.17** The starter and all his assistants are forbidden to exercise horses during the Ontario racing season.

**17.18** No licensee of the Commission shall offer a benefit to the Starter or any of his assistants, directly or indirectly, nor shall the Starter or any of his assistants accept any benefit from any person in this regard, whether or not such person is licensed by the Commission.

**17.19** Neither the starter nor his assistants shall mistreat or use abusive language to a jockey.

## Chapter 18

### PLACING JUDGES AND PHOTOFINISH CAMERA

**18.01.1** Two or more placing judges shall occupy the placing judges' stand at the time the horses pass the winning post in every race, and their duty shall be to place and record the first five horses in the order of finish, or as many more as they think proper.

**18.01.2** In determining the places of the horses at the finish of a race, the placing judges shall consider only the relative position of the respective noses of such horses.

**18.01.3** The placing judges shall cause to be prominently displayed the numbers of the first four horses in each race in the order to finish and shall be responsible for recording the fifth placing.

**18.01.4** The placing judges shall make public their decisions as promptly as possible.

**18.02.1** When the Placing Judges differ in their placements, the Stewards shall inspect the print prior to the official sign being posted and the decision of the Stewards shall prevail.

**18.02.2** The stewards shall confirm the decision of the placing judges as to the result of every race by declaring the result official, and the word "Official" shall be flashed or otherwise placed on the totalisator board, in a manner in which it may be clearly seen from any part of the grandstand.

**18.02.3** Nothing in the Rules shall be construed to prevent the placing

judges, with the approval of the stewards, from correcting an error before the display of the "Official" sign or from recalling the "Official" sign in case it has been displayed through error.

**18.03.1** On all tracks a proper camera shall be installed as an aid to the placing judges; however, in all cases, the camera is merely an aid and the decision of the judges shall be final.

**18.03.2** Associations shall keep on file, for the duration of each meeting, plate or film or video cassettes of each race for reference or reproduction upon request of the Commission.

**18.03.3** If it is considered advisable to consult a picture from the photo finish camera, the placing judges shall post, without waiting for a picture, such placements as are in their opinions unquestionable, and, after consulting the picture, make the other placements.

**18.03.4** Photo finish photographs shall not be released to anyone for publication without permission of the stewards, except to the Association for its public display at the race track at which racing is being conducted.

## **Chapter 19**

### **RACING SECRETARY AND HANDICAPPER**

(See also the chapters on Entries — 6, Declarations and Scratches — 7 and Weights — 8)

**19.01.1** The racing secretary shall maintain all ownership records in accordance with the Rules and the Directives of the Commission.

**19.01.2** All ownerships in a horse, except a trainer's percentage of its winnings, shall be filed with the racing secretary, before the horse shall start, as also shall every subsequent change in ownership during the meeting.

**19.01.3** The holder of a claim, whether it be a mortgage, bill of sale or lien of any kind against a horse, shall file it with the racing secretary and the secretary of the Horsemen's Benevolent and Protective Association, before the horse is entered. Failure of a claimant to do so shall forfeit his rights in the winning of the horse before his claim is filed.

**19.02.1** The racing secretary shall receive all entries, scratches and declarations, and keep a complete record of all races, and keep himself informed of all names appearing on the veterinarians', stewards' and starters' lists.

**19.02.2** The racing secretary shall each morning, as soon as the entries have been closed and compiled, and the scratches and declarations have been made, post in a conspicuous place in his office a list of the entries, scratches and declarations.

**19.03** The racing secretary shall compile the official programme which shall

contain the following information; the date, the number of the day of the meeting, the name of the Association and the officers and officials of the meeting, the order in which the races are to be run, the amount of each purse, the conditions and distance of each race, the post position number, name, age, colour, sex, breeding and assigned weight or any change in equipment of each horse, the name of each jockey and trainer, the name under which each owner is licensed to race and his racing colours. The programme may contain other pertinent data.

**19.03.1** All condition books, programmes and other publications of a racing association dealing with a race meeting shall have displayed in a prominent place the following words:

This race meeting is being conducted with the approval of the Ontario Racing Commission, and the Rules of Racing of the Ontario Racing Commission apply to the conduct of all races and the racing association conducting this meeting has been licensed by the Ontario Racing Commission.

**19.04** Owners entering horses that have campaigned in countries other than Canada and the United States of America shall, at the time of entry, deliver to the racing secretary a record of all past performances of such horses in races wherever run in the current and previous year for dissemination to the press and the public. Provided, however, that if the owner is not in Ontario, the trainer of such horses shall be obliged to comply with this rule. Otherwise, the entry of such horses shall not be accepted without the permission of the Supervisor of Thoroughbred Racing.

**19.05** The handicapper, who may be the racing secretary, shall be appointed by the Association and he shall:

- (a) Assign the weights to be carried by each horse in a handicap;
- (b) Append to the weights for every handicap the day and hour after which races won will make winners liable to weight penalties;
- (c) If there are no penalties, append that fact to the weights;
- (d) In case of omission, through error, of the name or weight of a horse duly entered, rectify the omission.

## Chapter 20

### CLERK OF THE SCALES

(See also chapter on Weights — 8)

**20.01** The clerk of the scales or his assistant shall weigh all jockey out and in.

**20.02** The clerk of the scales shall promptly report to the stewards any infraction of the Rules with respect to weight, weighing, or riding equipment.

**20.03** The clerk of the scales shall record any over-weight or any change of



jockey, weight, or racing colours, as compared with those stated on the official programme and shall promptly inform the appropriate racing officials of all pertinent changes.

**20.04** The clerk of the scales shall report to the racing secretary at the end of each racing day the weights carried by each horse in each race, together with the name of each horse's jockey and the over-weight carried by any jockey. He shall also report the post time in each race and other information which may from time to time be required.

**20.05** Jockeys are required to present themselves to be weighted out at the time fixed by the clerk of the scales.

**20.06** The jockeys' room custodian shall assist the clerk of the scales in the performance of his duties.

## **Chapter 21**

### **PADDOCK JUDGE**

**21.01.1** The Paddock Judge shall be in charge of the paddock.

**21.01.2** It is the duty of the paddock judge to check all horses for every race and to have all horses properly identified.

**21.01.3** The paddock judge shall keep a record of all equipment carried by all horses in all races, permitting no change in equipment not authorized by the stewards.

**21.01.4** The paddock judge shall, in every race, require the plater in attendance in the paddock to see to it that all horses are properly shod. The paddock judge shall report immediately to the stewards the findings of the plater.

**21.02** Other duties of the paddock judge shall be such as may be assigned him from time to time by the stewards.

**21.03** The paddock judge shall report any irregularities to the stewards.

**21.04** All horses shall be saddled in the paddock or walking ring unless the stewards permit otherwise.

## **Chapter 22**

### **PATROL JUDGES**

**22.01** Each Association shall appoint two or more patrol judges who shall not have any other employment at the track other than paddock judge, and/or duties under the Racing Secretary in connection with the work of his office, during the meeting for which they are employed as Patrol Judges.

**22.02** Immediately after the running of each race, all patrol judges shall at once make an oral report to the stewards of any observed infractions of the Rules



and of any observed wrong or unusual behaviour of horses or jockeys. The stewards shall receive such report before the placements are made official.

**22.03** A written report confirming, modifying or changing such oral report shall be made to the stewards and forwarded by them to the Commission.

**22.04** Each Association shall provide telephone or other approved communication between each station of the patrol judges and the stewards' stand.

**22.05** The stewards shall direct the placing of the patrol judges at points of vantage about the race track.

## Chapter 23

### TIMERS AND CLOCKERS

**23.01** There shall be one or more timers. They shall determine the official time of each race.

**23.02** When an electronic timing device is used, the races shall also be timed with stopwatches.

**23.03** The time of each race shall be announced and prominently displayed.

**23.04** A written report of the time of each race shall be made to the clerk of the scales for his report to the racing secretary.

**23.05** Before the commencement of racing each year, all timers approved by the Commission shall have all their watches tested for accuracy by a watchmaker approved by the Commission, and a certificate of accuracy shall be forwarded to the Commission before any timer assumes his duties.

**23.06** An Official Timer, to be appointed by the Association and approved by the Commission, shall attend at an Association race track daily for morning workouts, shall time all workouts at such race track and make public the length and time of the workouts.

**23.07** Every Commission licensee accompanying a horse to the racing strip for a workout shall correctly identify to the timer the horse, state the distance over which such horse is to be worked and the point on the racing strip where it is intended to start the workout.

**23.08** Clockers shall not be permitted access to the stabling area of any race track unless they are licensed by the Commission. They shall restrict their activities to such parts of the race track as may be designated by the Association concerned.

## **Chapter 24**

### **COMMISSION'S DISCRETIONARY POWERS**

(See also Chapter 16 — The Stewards)

**24.01** The Commission may impose in its absolute discretion any or all the following penalties for conduct prejudicial to the best interests of racing, or for a violation of the Rules:

- (a) Refuse an offender admission to the grounds of an Association;
- (b) Expel an offender from the grounds of an Association;
- (c) Suspend any Commission licensee for any length or time it may deem proper;
- (d) Impose a fine not exceeding \$10,000.00;
- (e) Rule an offender off the turf for any length of time it may deem proper.

**24.02** When there is no specified penalty for violations of the Rules or of the regulations of the Association, the Commission has power to disqualify, fine, suspend, expel from the course, rule off or otherwise punish.

**24.03** If any case occurs which is not or which is alleged not to be provided for by the rules or if the imposition of the rules would prove to be a hardship on any licensee, it shall be determined by the Commission in such manner as it believes is in the best interest of racing. The Commission may also, in its absolute discretion, at any time waive the breach of any of the rules, which waiver or breach the Commission does not consider prejudicial to the best interests of racing.

**24.04** Fines imposed by the Commission, the stewards and the starter are payable forthwith, upon their imposition unless there has been an appeal filed. A licensee who fails to pay such a fine shall automatically become suspended on the second day following the imposition of the fine and he shall remain suspended until the fine is paid.

**24.04.1** Subject to Rule 9.14.1 penalties other than fines are effective forthwith or as of the date stated in the ruling except in the case of an appeal when they may be stayed by authority of the Commission.

**24.05** When an owner is suspended, all his horses are likewise suspended from participation in racing and the suspension of such horses will be rescinded automatically upon the expiration of the owner's suspension or by the Commission if such horses are sold in good faith to a private purchaser or at public auction.

## **Chapter 25**

### **REVIEW AND APPEAL**

See Chapter 13,

PROTEST, OBJECTIONS AND APPEALS

Rule 13.02

## **Chapter 26**

### **SUPERVISOR OF THOROUGHBRED RACING**

**26.01** The Supervisor of Thoroughbred Racing is the representative of the Commission on the grounds of an Association when it is conducting a race meeting and he shall:

- (a) In the performance of his duties, have unrestricted access to all buildings, stables, rooms and all other places within the grounds of any Association;
- (b) Issue orders in the name of the Commission, effective unless and until countermanded by the Commission;
- (c) Attend all Thoroughbred Race Meetings licensed by the Commission;
- (d) Make such reports to the Commission as he may see fit and supervise, in the performance of their duties, all Commission and Association officials and employees;
- (e) Attend meetings of the Commission as required;
- (f) Act as counsel for the Commission, when so required, in any investigation it may hold.

## **Chapter 27**

### **COMMISSION VETERINARIANS AND OTHER VETERINARIANS**

**27.01** The Veterinary staff of the Commission shall be those veterinarians appointed by the Commission from time to time to officiate at thoroughbred race meetings; in these rules all referred to as Commission Veterinarians.

**27.02** During the period of their employment the Commission Veterinarians shall not, without the approval of the Commission, diagnose, treat or prescribe for any horse, for compensation or otherwise, except in case of emergency when they may do so without compensation of any kind except out of pocket expenses.

**27.03** On the morning of each racing day, the Commission Veterinarians

amongst them shall familiarize themselves with the physical condition of all horses entered for racing that day and if, in the opinion of any one of them, a horse is not fit, sound and ready for racing, he shall recommend to the stewards that it be scratched and the stewards shall take such action as they deem fit. Should the stewards place any horse on the veterinarians' list, the horse shall remain on that list until removed by a Commission Veterinarian. However, the horse shall not be removed, without express permission of the stewards, before the end of the fourth consecutive calendar day following the day it was placed on the veterinarians' list.

**27.04** A Commission Veterinarian shall be continuously in the paddock from the time the horses enter the paddock until they leave, and all horses shall be inspected by him. If in his opinion, any horse is not fit, sound and ready for racing, he shall recommend to the stewards that it be scratched and the stewards shall take such action as they deem fit.

**27.05** A Commission Veterinarian shall inspect all horses at the starting point of each race. If in his opinion, any horse is not fit, sound and ready for racing, he shall recommend to the stewards that it be scratched and the stewards shall take such action as they deem fit.

**27.06** During racing hours a Commission Veterinarian shall as quickly as possible inspect all horses which have been involved in an accident and he shall take appropriate action.

**27.07** If in the opinion of a Commission Veterinarian an injured horse should be destroyed, he shall destroy the horse quickly, humanely, and out of sight of the public unless any delay will prolong the suffering of the horse.

**27.08** Commission Veterinarians shall keep a list to be called the Commission Veterinarians' List (colloquially "the Vets' List") upon which shall be entered the name of any horse which any Commission Veterinarian considers unfit, unsound or not ready for racing. When the stewards order a horse scratched for reasons having to do with the physical condition of the horse, it shall be placed on the Vets' List. During the time a horse's name is on such list, it shall not race in Ontario, nor shall it be entered in any race, except that it may be nominated in a stakes race. Only a Commission Veterinarian shall remove a horse's name from the Vets' List and shall do so only when, in his opinion, the horse is fit, sound and ready for racing.

**27.09** Any owner or trainer whose horse has been placed on the Commission Veterinarians' List may apply at any time to a Commission Veterinarian for his examination of such horse, and such examination shall be conducted within 24 hours of the request for it, provided that the horse is stabled at a convenient track.

**27.10** A Commission Veterinarian shall observe the horse so examined standing in its stall, walking and trotting. Provided, however, the horse shall be

trotted on a racing-strip or worked on a racing-strip if requested by either the Veterinarian or horseman.

**27.11** A Commission Veterinarian shall not require a horse to be worked on a racing-strip for more than three furlongs, but if a horseman wishes his horse worked for a longer distance, this shall be done.

**27.12** Such horse shall be observed at the end of the work, if any, and cooling out, and the Commission Veterinarian shall then inform the horseman that his horse is to remain on the Commission Veterinarians' List or when it will be removed from this list, as the case may be.

**27.13** A Commission Veterinarian may be instructed to make a full written report of the Commission Veterinarians' activities and any recommendations he deems advisable, as required by the Commission, and a copy of such report shall be delivered to the stewards.

**27.14** In the interest of equine health, and in connection with horses being shipped into any Ontario race track, a Commission Veterinarian may examine any horse at his discretion after advising the trainer or person in charge of such horse of his intention to do so.

**27.15** Veterinarians licensed by the Commission shall keep complete records of their administration of any medicament to any horse campaigning in Ontario. Such records shall be retained by the Veterinarian and be available on request to the Commission for not less than two clear years after any such drug or medicament is administered.

**27.16** These records shall show the name and tattoo number of the horse, the names of the owner and trainer, the date and time of the administration of the drug or medicament and the nature of the medicament administered.

**27.17** Such veterinarians may use a code word for the nature of the drug or medicament administered.

**27.18** Such records may be inspected only by Commission Veterinarians.

**27.19** It shall be the duty of a veterinarian licensed by the Commission to ascertain from the owner or trainer prior to treating any horse (except in an emergency) if the horse in question is or will be entered to race during the period of time in which any medication given by him (or her) or directed by him (or her) to be given might in light of current Equine Veterinary Research affect any post race urine or blood test, resulting in a positive test. If such should be the case it is the veterinarian's duty to warn the owner or trainer of this situation.

**27.20** Any veterinarian who is licensed by the Commission may be held wholly or partially responsible, if medication given by him (or her) or medication given under direction from him (or her) shall, in the opinion of the Commission, be responsible for a positive urine or blood test.

**27.21** Should any veterinarian licensed by the Commission be guilty of any offence against Rule 27.19 or 27.20 or be guilty of any actions that would be



considered a breach of ethics by the veterinary profession, that veterinarian shall be fined by the stewards or referred to the Commission for disciplinary action under the Rules of Thoroughbred Racing.

## **Chapter 28**

### **OUTRIDERS**

**28.01** There shall be two or more outriders at all tracks while racing is being conducted and one of them shall be on duty during training hours. Exceptions to this rule will require the authorization of the Commission.

**28.02** An outrider shall not have any other employment during the meeting for which he is employed.

**28.03** Clothing of outriders shall be provided by the Association and shall be kept clean and neat.

## **Chapter 29**

### **TRAINERS**

**29.01** A trainer must register with the racing secretary of each Association all horses in his charge, stating the name, colour, sex, age and breeding of each and the name of the owner. Such registration may be made by the owner or authorized agent but in all cases the name of both owner and trainer must be given.

**29.02.1** A trainer may represent the owner in the matter of all entries, scratches, declarations and the engagement of jockeys, veterinarians and tradesmen. (Attention Rule 6.10.3)

**29.02.2** An owner wishing to deny or restrict the authorization given under Rule 29.02.1 shall give notice of his intentions to the trainer and to the stewards, such notice shall be by personal service or registered mail.

**29.03** If a trainer is to be absent from the track where his horses are participating in races, he must obtain a licensed trainer to substitute for him during his absence. Such a substitute trainer must be approved by the stewards upon forms approved by the Racing Commission. The original trainer is responsible for the horses he has entered prior to his absence from the track. The substitute trainer will then become responsible for any additional horses entered by either trainer.

**29.04** A trainer shall be responsible for the condition of a horse trained by him and it shall constitute an offence for a trainer to knowingly enter a horse that is unfit.

**29.05** Upon any occupational licensee leaving an owner's or trainer's employ, the said employer shall notify the Commission Agent accordingly, who in

turn shall inform the Security Chief. It shall be an offence for a trainer to employ unlicensed help.

**29.06** If an owner changes his trainer he shall notify the racing secretary and cause the new trainer to sign his name on the owner's registration. This shall be done only after the stewards have approved the transfer authorization, having satisfied themselves that obligations regarding finances have been met.

**29.07** For racing, all horses, shall be shod with racing plates, unless otherwise permitted by the stewards.

**29.08** No horse may be admitted into an association grounds unless the Foal Registration Certificate is accepted by, and on file with the racing secretary's office, and that horse is on the stall list of its trainer. In the event this horse is racing or training from stabling off the association grounds the papers must be accepted by, and on file with the racing secretary's office. The stewards may grant exceptions from all or any of these conditions at their discretion.

## Chapter 30

### APPRENTICE JOCKEYS

**30.01** Apprentice jockeys shall be bound by all the Rules for jockeys, except insofar as the Rules may be in conflict with the Rules for apprentices in this Chapter.

**30.02** Apprentice Jockey contracts made in Ontario shall be executed by all parties in quadruplicate. Such contracts shall be reviewed by the stewards and they shall make any recommendations they deem proper. One copy of the contract shall be kept on file in the office of the Supervisor of Racing, one copy delivered to the apprentice jockey, one copy delivered to the contract holder, and one copy sent to the Commission office. Ratification of the said contract may be given or refused by the Racing Commission.

**30.03** A copy of all apprentice jockey contracts or certificates, wherever made, shall be filed with the Commission.

**30.04** Upon the assignment of any apprentice jockey contract, a memorandum of such assignment shall be recorded with the Commission by both the assignor and the assignee forthwith upon the execution of such assignment.

**30.05(a)** Before the execution or assignment of any apprentice jockey contract is of recognized validity in Ontario, it shall be approved by the stewards or Supervisor of Racing, after any recommendations desired have been made. The stewards may deny approval if, in their opinion, the owner or trainer concerned is not in possession or control of such a stable of horses as warrants the employment of an apprentice jockey or for any other reason they deem fit and proper. The action of ratifying or refusing to ratify the said contract may be carried out by the Commission.

- (b) For the purposes of this Rule, the association of another person or persons in partnership with the employer of an apprentice jockey shall not be deemed to be an assignment of an apprentice jockey contract unless the partnership papers specifically so provide and a copy is filed with the Commission.
- (c) When two or more persons have associated themselves in partnership as employers of an apprentice jockey, only one of such persons, as they may decide, between or amongst them (and they shall notify the Commission accordingly) shall have the benefit of such apprentice jockey riding without payment of a mount fee, and the benefit of all apprentice weight allowance to which a contract employer is entitled and the other persons shall pay the appropriate mount fee, and shall not be entitled to the apprentice weight allowance to which a contract employer is entitled, provided however, that this sub-section shall not apply if the horses concerned are owned in partnership by such persons.

**30.06** No apprentice jockey contract shall be terminated until the stewards declare it is terminated under any terms or conditions they see fit to order. The ratification of the cancellation of the said contract may be given or refused by the Commission.

**30.07** Apprentice Jockey contracts or certificates may be entered into for a period of three years or less.

**30.08** A first application for an apprentice jockey's license shall be accompanied by:

- (a) Evidence that the applicant has had at least one year's experience with a racing stable which is acceptable to the stewards.
- (b) His birth certificate or acceptable proof of his date of birth.

**30.09** No apprentice jockey shall ride for anyone other than his contract employer without such employer's consent. Notwithstanding this, an apprentice jockey holding a certificate is free to accept mounts at his own discretion.

**30.10** The holder of the contract at the time the apprentice jockey rides his fifth winner shall be considered the original contract employer.

**30.11** No apprentice shall ride in a race for two-year-olds without permission of the stewards.

**30.12** No apprentice shall carry a whip in a race until he has ridden in at least five races and then only with the permission of the stewards.

**30.13** When an owner or trainer who has an apprentice contract takes his stable of horses outside Ontario, the apprentice jockey under contract with him can only ride in Ontario if the apprentice jockey contract is leased to another owner or trainer with the approval of the Commission, and such lease may be for any time to which the parties agree.

**30.14** Apprentice jockey contracts made in the name of a partnership shall be signed by all members of the partnership.

**30.15** No race not reported in The Daily Racing Form or a comparable domestic or foreign publication shall be considered in determining the allowance to which an apprentice jockey is entitled.

**30.16** Upon an apprentice jockey losing all rights to claim an apprentice jockey allowance, he shall not ride again without the permission of the stewards until he has been granted a jockey license by the Commission.

**30.17** No licensed owner shall have more than one apprentice jockey, unless permitted to do so by the Commission.

**30.18** Upon the death of an apprentice jockey, the apprentice jockey contract shall be null and void and of no effect; upon the death of the contract employer, the apprentice jockey contract shall be considered an asset of the Estate of the deceased contract employer.

**30.19** Any person holding an apprentice jockey's license, under a certificate or contract, may claim in all overnight races, except handicaps, the following allowances:

- (a) Ten pounds until he has ridden five winners, thereafter seven pounds when riding for his contract employer or five pounds otherwise for one year from the date of his fifth winner. If by the end of that year he has not ridden a total of forty-five winners the allowance will continue for three years from the date of his fifth winner or until he has ridden a total of forty-five winners, whichever happens first.
- (b) Three pounds for an additional calendar year, after the allowance mentioned in part (a) of this Rule has expired if he is riding for his original contract employer, provided his contract has not been permanently transferred or sold since he rode his fifth winner.

**30.20** A time allowance in addition to one calendar year from his fifth winner will be made for an apprentice jockey who does not accept riding engagements after the end of the Ontario season. In such case, he will receive a time allowance equal to the number of days from the close of one season's racing in Ontario to the opening of the next season's racing in Ontario;

- (a) Provided the apprentice jockey has ridden his first and fifth winners during the course of a single 12 month period;
- (b) And provided, the time allowance shall not extend beyond the next racing season following the date of his fifth winner.
- (c) And provided the apprentice jockey has ridden the majority of his races in Ontario during the year prior to the said winter extension, and subsequently rides the majority of his races in Canada during the period of that extension;
- (d) Extension or modifications shall be granted only with the permission of the parties to the contract or certificate.

**30.21** Any apprentice jockey licensed by the Commission who is injured during the course of his/her duties and becomes incapable of riding for a period of



at least 7 days or any such jockey who becomes incapable of riding for a period of 7 days as a result of an accident or illness over which he/she has no control is entitled to an extension of the same duration. This claim for an extension must be accompanied by a doctor's certificate stating said injury, accident or illness had prevented the apprentice jockey from pursuing his/her profession for a specific period of time. Any apprentice jockey who is prevented from riding as a result of a restriction on racing for more than 7 days may apply to the stewards or Supervisor of Racing for an extension for the period of time that racing was restricted.

**30.22** The allowances mentioned in Rule 30.19 for the contract employer may be claimed when the apprentice is riding horses which are owned by the holder of the apprentice contract but may not be claimed when the apprentice is riding horses trained by the contract employer but owned by someone else.

**30.23** Allowances made under this Chapter must be claimed at the time of entry, and the owner concerned shall not abandon any allowance to which an apprentice is entitled without permission of the stewards, who may grant or withhold such permission as they may deem proper. Such allowances shall be designated on the entry sheets as follows:

3 pounds	#	7 pounds	XX
5 pounds	X	10 pounds	XXX

**30.24** Subject to Rule 4.04.2 and in lieu of a contract the stewards or Supervisor of Racing, at their discretion, may grant a certificate to any person who qualifies under the conditions set forth for an individual to be licensed as an apprentice jockey. Ratification may be given or refused by the Commission.

**30.25** The granting of the certificate shall permit the holder to be licensed as a free-lance apprentice jockey and shall be approved by the Stewards or Supervisor of Racing only after the applicant has displayed acceptable qualifications. Ratification of the said certificate may be given or refused by the Racing Commission.

**30.26** Upon compliance with these requirements, an apprentice jockey certificate will entitle the holder to claim the following weight allowances in all overnight races, except handicaps:

- (a) 10 pounds for the first five winners.
- (b) 5 pounds for the next forty winners or for one year from the date of his fifth winner, whichever happens last.
- (c) If in that year he has not ridden forty winners, the allowance will continue for three years from the date of his fifth winner, or until he has ridden forty winners, whichever happens first.

**30.27** Nothing in the Rules of Racing pertaining to Apprentice Jockeys is intended to prevent an Apprentice Jockey who is in possession of a certificate from contracting his services to a licensed owner or trainer for the duration of the life of the certificate. Upon approval of the Commission, the certificate may be cancelled



and the provisions of the contract recognized. Provided the contract has been executed prior to the Apprentice Jockey having ridden his fifth winner, he may then claim seven pounds when riding horses owned by the contract holder.

**30.28** Provisions of contracts and certificates previously in force in Ontario and elsewhere will be recognized by the Commission.

**30.29** All rights and privileges to an apprentice jockey presently covered by the apprentice rules shall be applicable to the holder of a certificate.

**30.30** All apprentice jockeys' licences shall be granted on a probationary basis. The stewards may suspend this licence for any period of time determined by them if in their opinion the apprentice requires more experience or expertise before being allowed to continue riding. If the stewards act under this rule they may make whatever adjustments they deem necessary in regard to apprentice allowances for the apprentice in question.

## **Chapter 31**

### **STABLE NAMES**

**31.01** Stable names or changes of stable names shall be registered with the Commission.

**31.02** A stable name shall not be used unless annually registered and remains in effect only during the year for which the fee is paid.

**31.03** A stable name may be changed at any time by registering a new stable name.

**31.04** No one shall register as his stable name one which has been already registered by any other person, or the real name of any other owner of race horses, nor one which is the real or assumed name of any prominent person not owning race horses.

**31.05** Any person who has registered a stable name may, at any time, abandon it by giving written notice at the office of the Commission, after which all entries which have been made in the stable name shall be altered to the real name of the owner.

**31.06** A trainer, who is a licensed owner or part owner, may register a stable name as owner or part owner. See also Rule 4.09.

**31.07** Upon request to the Racing Commission and/or the Racing Association, the real names of persons who race under stable names shall be disclosed and the Racing Commission shall cause a list of all stable names currently granted by the Commission and the persons who race under such stable names to be kept up to date.

**31.08** A person can have only one stable name at anytime, and so long as he has a registered stable name he shall not race any horse except under that

name, with the exception that an owner may race under his own name and be involved as a partner in one stable name.

**31.09** If the horses of a partnership are to be run in the name of a member of a partnership, such name need not be registered as a stable name, but all horses of the partnership must be run under either (a) in the names of all members of the partnership, or (b) one name of a partner plus "and partner" or "and partners" as applicable.

**31.10** A stable name shall be plainly distinguishable from that of another duly registered stable name.

**31.11** A corporate name shall be considered as a stable name for the purposes of the Rules but the Commission reserves the right to refuse any corporation the privilege of registering a stable name.

**31.12** No stable name shall be used for advertising or commercial purposes.

## **Chapter 32**

### **PARTNERSHIPS**

**32.01** Partnerships or changes in partnerships shall be registered with the Commission.

**32.02** Partnership papers shall, among other things, set forth the following:

- (a) The name and address of every person having any interest in the horses involved;
- (b) The relative proportions of such interests;
- (c) To whom the winnings are payable;
- (d) In whose name the horses shall run;
- (e) With whom the power of entry, scratches and declaration rests;
- (f) The terms of any contingency, lease or other similar arrangement.

**32.03** All partnership registration papers shall be signed by all parties or their authorized agents.

**32.04** In case of emergency, authority to sign declarations of partnership may be given to the Supervisor of Thoroughbred Racing by telegram which in his discretion he may accept provided that the Commission may subsequently revoke the registration if the forms referred to in Rules 32.01, 32.02, and 32.03 are not filed within two weeks of the receipt of the said telegram.

**32.05** Notwithstanding the provisions in the Rules or in any partnership registered with the Commission pursuant to such Rules, winnings of a partnership may, subject to lawful assignment or court order, be made by a racing association to such member or members of the partnership as, according to the documents the racing association has received from the Commission, appear to be the member or members of the partnership entitled to be paid such winnings, and such payment shall constitute valid payment of partnership winnings.

**32.06** The part owner of any horse shall not sell or assign his share of any part of it without the written consent of the other partners and such consent shall be filed with the Commission.

**32.07** An alteration in a recorded partnership registration, to be effective, shall be reported in writing to the Commission and signed by all the partners or their authorized agents.

**32.08** All parties to a partnership and each of them shall be jointly and severally liable for all stakes, and other obligations.

**32.09(a)** When no more than 4 individual persons own a horse or horses, each individual must own a minimum of 15% of each horse and they all must be licensed as an owner.

- (b) When more than 4 individual persons own a horse or horses through a partnership, corporation, syndicate or other joint venture, such persons must designate in writing a major shareholder of the partnership, corporation, syndicate, or other joint venture, to represent the entire ownership of and be responsible for such horse or horses as the licensed owner thereof. In addition to this representative, 3 other major shareholders only may be licensed as owners and have right of entry to the stable area including paddock, saddling area and winners' circle. However, all other persons sharing in the partnership, corporation, syndicate or other joint venture must be licensed; such license will not be valid in the stable areas.
- (c) Documentation, including the conditions and agreements of the partnership, corporation, syndicate, or other joint venture referred to in Rule 32.09(b) shall accompany the application for owner's license submitted by the major shareholder and must be on file with the stewards prior to the horse or horses being brought on to the association grounds. Such documentation must include a list of all shareholders, showing their percentage of ownership, and a copy of any lease or leases applicable to the horse or horses.
- (d) The program listing of a horse licensed under Rule 32.09(b) shall be in the name of the designated member representing the ownership plus "and associates".
- (e) Any partnership, corporation, syndicate or other joint venture in which any participant is not eligible for licensing shall itself not be eligible to race any horse until the ineligible individual completely disassociates himself or herself from the partnership, corporation, syndicate or other joint venture.

**32.10** Any claim not signed by all members of a partnership shall not be recognized unless the partnership has licensed with the Ontario Racing

Commission an authorized agent with the power to claim on that partnership's behalf and said agent has signed the claim in question.

**32.11** If the members of a registered partnership decide to race their horse or horses in a single designated name, the name and the phrase "and partner(s)" shall be carried on the daily racing program.

**32.12** When any horse is owned by a private or public company, corporation or any other multiple ownership which is not covered by the rules regarding partnerships, the following conditions must be fulfilled prior to entering:

- (a) An affidavit must have been placed on file with the Racing Commission naming the president, secretary, all the directors, and other officers of the entity and all shareholders holding interests equal to or in excess of 10% of that multiple ownership and the percentage held by said shareholders.
- (b) The president and secretary of said entity must have filed an affidavit that no officer, director, or anyone holding any interest in that multiple ownership of 10% or more is ineligible for licensing in any racing jurisdiction or is currently suspended by any racing authority. Such affidavit shall declare that all above officers, directors and shareholders are eligible for licensing. If any shareholder holding an interest equal to or in excess of 10% is a company it must make similar full disclosure as the parent entity.
- (c) All officers of the company must be licensed.
- (d) All further affidavits requested by the Commission or the stewards in regard to that ownership must have been placed on file.
- (e) An affidavit must have been placed on file declaring the individual/s who is/are authorized to enter, declare, or scratch the horse/s in question and that individual must be licensed as an authorized agent.

In the case of a horse or horses shipping into Ontario to race in a stakes race or prep for a specific stakes race, the stewards may, at their discretion, waive any of the above requirements.

## **Chapter 33**

### **AUTHORIZED AGENTS**

**33.01** All documents by which an owner appoints an authorized agent shall be registered with the Commission.

**33.02** Any change in or revocation of such appointment shall be in writing and signed by the owner and shall not be effective until filed with the Commission.

**33.03** Notwithstanding any provisions contained in the rules of racing, as between an owner and any Racing Association, a document appointing an authorized agent which has been registered with the Commission, shall remain in full force and effect until December 31 of the current calendar year, or until notice



in writing of its revocation has been received by such Racing Association from the Commission, whichever shall first occur.

**33.04** Persons appointed as Authorized Agents, unless otherwise licensed by the Commission — shall be licensed as Authorized Agents.

## **Chapter 34**

### **CANADIAN-BRED HORSES**

**34.01** In all races except handicaps and races where conditions expressly state to the contrary, a weight allowance of five pounds will be made for Canadian-bred two-year-old horses, and three pounds for Canadian-bred three year old horses.

**34.02** Canadian-bred horses, to be eligible to enter and start in Canadian-bred races, or to receive Canadian-bred weight allowances in other races, shall have their Canadian National Live Stock Records registration papers, or recorder numbers thereof, on file with the Association and the trainers of such horses shall be responsible for filing such papers or such recorded numbers.

## **Chapter 35**

### **VISUAL ACUITY AND COLOUR BLINDNESS TESTS**

**35.01** Each year, before commencing their duties, the following officials shall have their eyes tested for visual acuity, with the naked eye, with eye glasses, if required, and for colour blindness: The Supervisor of Thoroughbred Racing, the Stewards, the Starter, the Patrol Judges, the Placing Judges and the Timer.

### **Quarter Horse Racing**

Pari-mutuel Quarter Horse Racing shall be governed by the Rules of Thoroughbred Racing 1981, with the following exceptions:

Claiming Races:

Chapter 12 of the Rules of Thoroughbred Racing 1981 will not apply to Quarter Horse Racing and the following Chapter is promulgated in substitution:

**12.01.1** In claiming races, any horse is subject to claim for its entered price by any owner who—

- (a) is a member in good standing of any recognized Quarter Horse Association and
- (b) is an owner of a Quarter Horse registered with the American Quarter Horse Association and currently registered in the name of the claimant or his or her immediate family.

**12.01.2** The word "horse" shall mean a "stallion", "gelding", "mare",



"colt" or "filly" which is duly registered with the American Quarter Horse Association, Amarillo, Texas.

**12.04** No claim shall be valid unless the claimant has a credit balance with the Horsemen's Bookkeeper in an amount sufficient to cover the claim, plus any and all sales taxes applicable, or has deposited with the Horsemen's Bookkeeper prior to submitting the claim, a certified cheque drawn on a Canadian Bank and in the amount to cover the cost of the claim plus any and all sales taxes applicable.

**12.09** If a horse is claimed it shall not be sold or transferred to anyone in whole or in part, except in a claiming race, for a period of thirty (30) days from the date of claim, nor shall it, unless reclaimed, remain in the same stable or under the control or management of its former owner or trainer for a like period, nor shall it race outside Ontario until after the termination of the meeting at which the horse was claimed.

**12.22** No person or persons shall enter or allow to be entered in a claiming race a horse against which any claim is held, either as mortgage, bill of sale or lien of any kind unless, when or before entering the horse, written consent of the holder of the claim shall be filed with the Racing Secretary of the Association conducting the meeting.

**12.26** No person other than an authorized agent acting for his principal shall claim a horse for, or on behalf of any other person and, for the purposes of the claiming rules, an owner making a claim by merely executing said claim declares that he is claiming on his own account.

**12.27** No horse which is leased may be used by the lessee as a qualifying horse for the purpose of claiming.

**12.28** Any purse monies shall not be released to owners for 48 hours after being won, and if a holiday immediately follows, the money shall not be released for a period of 72 hours.

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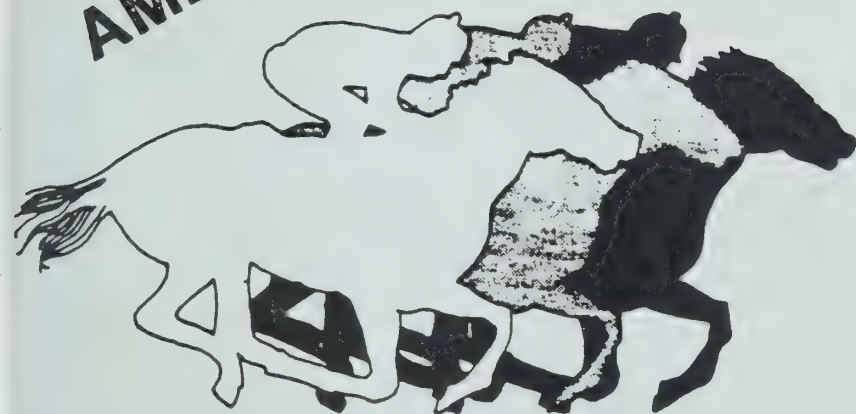
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# Thoroughbred Racing

(With Quarterhorse Appendage)

**1985  
AMENDMENTS**



**Ontario Racing  
Commission  
1984**





Ontario  
Racing  
Commission

3rd Floor  
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Toronto, Ontario  
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416/963-0520

November 28, 1984

THOROUGHBRED DIRECTIVE NO. 1  
RULES OF THOROUGHBRED RACING 1984

The Rules of Thoroughbred Racing 1984 are hereby amended by the promulgation of the following new rules or changes to rules which will be effective January 1st, 1985 as the Rules of Thoroughbred Racing 1985.

Chapter 2 - Definitions

Rule 2.39 "Scratching" means striking a horse out of a race in which it has been entered after receiving permission from the Stewards.

Rule 2.40 "Scratch Time" means either:

(a) The time set by the association for the closing of applications for permission to withdraw from an overnight race.

(b) The times set in the Rules of Thoroughbred Racing for the scratching of part of an entry or a horse from a stake race.

Rule 2.43 "Sweepstakes" or "Stakes" shall be defined as any race in which nominations close more than 72 hours in advance of its running and for which subscribers contribute money towards its purse; or a race for which horses are invited by an association to run for a guaranteed purse of \$50,000 or more, without payment of stakes fees.

Rule 2.52 "Suspension" shall mean prohibition from participating in any manner in racing during the period of that suspension in Thoroughbred, Standardbred, and Quarterhorse racing.

Rule 2.53 "Multiple Ownership" shall mean ownership of one or more horses by more than one individual.

Rule 2.54 "Partnership" for the purposes of racing a partnership shall be a single entity.

Chapter 4 - Licensing

Rule 4.01.6 Delete

Rule 4.05 Any Commission licensee who is exercising horses and has not been granted a current occupational licence valid for exercising horses, shall apply for such licence.

Rule 4.16 A person shall not participate in the affairs of an association as Director, General Manager, Officer, Agent or Employee of such association without first receiving a licence from the Commission, nor shall any person participate in racing as an Official, Owner, Owner Trainer, Jockey, Apprentice Jockey, Jockeys' Agent, Jockeys' Valet, Trainer, Groom, Authorized Agent, Tradesperson, or Veterinarian, or stable employee, nor shall anyone practise his or her profession, trade, occupation, or calling including concessionaire, or pari-mutuel employee unless such persons have applied for and been issued a current Commission licence classified in the appropriate category. An association may admit to its grounds the holder of a licence to enable the licensee to have access to the area where the licensee is obliged to perform his/her duties. A licence will not be required for the employee of a company, partnership or person with whom the association has an agreement to supply goods or services on a frequent basis if permission to be exempt from licensing has been received from the Supervisor of Thoroughbred Racing.

#### Chapter 6 - Entries and Subscriptions

Rule 6.10.3 Notwithstanding Rule 6.10.1 entries may be submitted by telephone or telegraph, but when so submitted need not be accepted by associations, and must be confirmed in writing. Confirmation must be postdated within 24 hours of the telephone or telegraph entry. If the racing secretary's office is unable to satisfy themselves as to the true identification of the caller they may refuse an entry until satisfied as to the authenticity of said caller.

#### Chapter 9 - Jockeys

Rule 9.27 The Stewards may require that any jockey or exercise person provide blood and/or urine samples for analysis after consultation with the track physician or by random choice. Should a jockey or exercise person fail to comply with this requirement, this person shall be immediately suspended and referred to the Commission to show cause for refusing to do so. Should the blood or urine tests taken from said jockey or exercise person contain any prohibited drugs referred to in the Narcotic Control Act of Canada or Schedule G or H of the Food and Drugs Act, that jockey or exercise person shall, provided it is the first occasion in the past 18 months, be fined \$100.00 and be prohibited from riding until he/she is able to supply blood and/or urine samples free of prohibited drugs referred to in the Narcotic Control Act or Schedule G or H of the Food and Drugs Act. The Stewards may at their discretion refer this individual to the Commission. If the sample/s show a prohibited drug under the Narcotic Control Act of Canada or Schedule G or H of the Food and Drugs Act and the jockey or exercise person providing said samples has had a previous sample analysed within 18 months

and that sample contained a prohibited drug under the Narcotic Control Act of Canada or Schedule G or H of the Food and Drugs Act, the following action shall be taken:

- (1) The jockey or exercise person shall be referred to the Commission;
- (2) That person shall not participate in racing until their appearance before the Commission; and
- (3) That person shall not ride until he or she has successfully completed a recognized rehabilitation course or has demonstrated that there is no need to take such course for narcotic users or users of drugs listed on Schedule G or H of the Food and Drugs Act.

The cost of analysing the initial test shall be borne by the Ontario Racing Commission and the cost of all subsequent tests shall be the responsibility of the licensee.

#### Chapter 12 - Claiming Races

Rule 12.01.1 In claiming races, any horse is subject to be claimed for its entered price by any owner who;

(a) is the holder of an owner's licence, in good standing from the Commission and

(b) has started a horse in Ontario, either on his/her own or in a multiple ownership during the racing season in which the claim is being made or

(c) is eligible to claim under Rule 12.29 (Initial Claim).

Should a claim be made under the (a), (b) and/or (c) conditions the foal registration papers for the claimed horse must remain in the secretary's office for 60 clear days from the day of the claim or until the conclusion of the Thoroughbred Racing Season in Ontario, whichever comes first.

Rule 12.09.2 The papers of any horse that is claimed must remain in the Racing Secretary's Office for the next sixty (60) clear days after being claimed; or until the end of the current racing season.

Rule 12.24.1 Delete

Rule 12.24.2(a) Delete

Rule 12.24.4. Delete

Rule 12.29 Any potential ownership which is desirous of entering racing in Ontario by claiming a horse, and does not qualify to claim a horse under Rule 12.01.1 (a) and (b) may be granted the privilege to claim a horse under



an initial claim permit, by the Commission, provided the following conditions are fulfilled:

(a) a payment of \$100.00 is made to the Ontario Racing Commission to initiate investigation as to that ownership's suitability to hold a license. The fee of \$100.00 will include new owner's licence fee of \$25.00.

(b) an application has been made and held pending until all necessary investigation has been completed to the satisfaction of the stewards or the Supervisor of Racing.

(c) no attempt has been made by the potential owner to claim under this rule during the first or last thirty (30) clear calendar days of any racing season in Ontario.

(d) the above privilege to claim shall be valid for only one horse unless the claimed horse is physically incapable of starting in Ontario during the next forty-five (45) days of being claimed, such ability shall be determined by the Commission Veterinarians.

(e) such initial claiming permit shall be null and void if not exercised within the first sixty (60) clear calendar days of being approved by the Stewards or the Supervisor of Racing.

(f) an extension is granted into the next racing season by the Stewards or Supervisor of Thoroughbred Racing.

#### Rule 12.30 Delete

### Chapter 13 - Protests, Objections and Appeals

Rule 13.16 Should any protest or appeal be made to the Stewards or Commission, and subsequently be withdrawn, the Commission or Stewards may review the circumstances surrounding said protest or appeal. After reviewing said circumstances, the Stewards or Commission, whichever applies, may, if they conclude that the launching of the appeal was made for some improper purpose, assess any penalty within the Rules of Racing they feel is just.

### Chapter 15 - Illegal and Corrupt Practices

Rule 15.07.2 A trainer shall not have in his or her charge or under his or her supervision for the purpose of racing any horse owned, in whole, or in part by a suspended or unlicensed owner.

### Chapter 24 - Commission's Discretionary Powers

Rule 24.04 Fines imposed by the Commission, the stewards and the starter are payable on the due date listed in the ruling. A licensee who fails to pay such a fine shall automatically become suspended on the second day following the due date on the ruling and he or she shall remain suspended until the fine is paid.

Chapter 30 - Apprentice Jockeys

Rule 30.02 Delete

Rule 30.04 Delete

Rule 30.05 (a) Delete

Rule 30.06 Delete

Rule 30.07 Apprentice Jockey certificates may be entered into for a period of three years.

Rule 30.13 Delete

Rule 30.14 Delete

Rule 30.19 Any person holding an apprentice jockey's licence, under a certificate (or contract), may claim in all overnight races, except handicaps, the following allowances:

(a) Ten pounds until he or she has ridden five winners, five pounds otherwise for one year from the date of his or her fifth winner. If by the end of that year he or she has not ridden a total of forty-five winners the allowance will continue for three years from the date of his fifth winner or until he or she has ridden a total of forty-five winners, whichever happens first.

(b) Delete

Rule 30.22 Delete

Rule 30.23 Allowances made under this Chapter must be claimed at the time of entry, and the owner concerned shall not abandon any allowance to which an apprentice is entitled without permission of the Stewards, who may grant or withhold such permission as they may deem proper. Such allowances shall be designated on the entry sheets as follows:

5 pounds X 10 pounds XXX

Rule 30.24 Subject to Rule 4.04.2 the Stewards or Supervisor of Racing may grant a certificate to any person who qualifies under the conditions set forth for an individual to be licensed as an apprentice jockey. Ratification may be given or refused by the Commission.

Rule 30.26 Upon compliance with these requirements, an apprentice jockey certificate will entitle the holder to claim the following weight allowances in all overnight races, except handicaps, provided he/she qualifies under rule 30.31.

(a) 10 pounds for the first five winners.

(b) 5 pounds for the next forty winners or for one year from the date of his or her fifth winner, whichever happens last.

(c) If in that year he or she has not ridden forty winners, the allowance will continue for three years from the date of his or her fifth winner, or until he or she has ridden forty winners, whichever happens first.

#### Rule 30.27 Delete

Rule 30.31 No weight allowances granted an apprentice jockey shall extend past 4 years from the date of his/her first race with the exception of medical extensions. If medical extension/s have been granted the weight allowances shall extend past 4 years only for the total number of days granted in said extension/s.

### Chapter 32 - Partnerships

Rule 32.03 All partnership registration papers shall be signed by all parties or their authorized agents, and in the case of a Limited Partnership, all partnership registration papers shall be signed by the General Partner or its authorized agent.

Rule 32.06 The part owner of any horse shall not sell or assign his or her share of any part of it without the written consent of the other partners and such consent shall be filed with the Commission, and in the case of a Limited Partnership, such consent shall be that of the General Partner.

Rule 32.07 An alteration in a recorded partnership registration, to be effective, shall be reported in writing to the Commission and signed by all the partners or their authorized agents, and in the case of a Limited Partnership, such written report shall be signed by the General Partner.

Rule 32.08 All parties to a partnership and each of them shall be jointly and severally liable for all stakes, and other obligations. This provision shall not apply to a Limited Partnership.

#### Rule 32.09

(c) Documentation, including the conditions and agreements of the partnership, corporation, syndicate, or other joint venture referred to in Rule 32.09(b) shall accompany the application for owner's licence submitted by the major shareholder and must be on file with the Stewards prior to the horse or horses being brought on to the association grounds. Such documentation must include a list of all shareholders, showing their percentage of

ownership, and a copy of any lease or leases applicable to the horse or horses. Notwithstanding the foregoing, in the case of a Limited Partnership, the conditions and agreements pertaining to such Partnership shall accompany the Limited Partnership's application for owner's licence which must be on file with the Stewards prior to the horse or horses being brought on to the association grounds. Such documentation must include a list of all shareholders of the General Partner showing their percentage of ownership, and a copy of any lease or leases applicable to the horse or horses.

Rule 32.10 Any claim not signed by all members of a partnership shall not be recognized unless the partnership has licensed with the Ontario Racing Commission an authorized agent with the power to claim on that partnership's behalf and said agent has signed the claim in question. Notwithstanding the foregoing, any claim not signed by the General Partner of the Limited Partnership shall not be recognized unless the Limited Partnership has licenced with the Ontario Racing Commission an authorized agent with the power to claim on that partnership's behalf and said agent has signed the claim in question.

Rule 32.11 If the members of a registered partnership decide to race their horse or horses in a single designated name, the name and the phrase "and partner(s)" shall be carried on the daily racing program. In the case of a Limited Partnership, the name and phrase "Limited Partnership" shall be carried on the daily racing program.

Rule 32.13 In lieu of the provisions of 32.09(b) and 32.12, in the case of a Limited Partnership, the following parties must be licensed by the Commission:

1. The Limited Partnership.
2. The General Partner, and where the General Partner is a corporation or a General Partnership, the persons covered by said Sections a, b, c, d and this section.
3. The Manager of the General Partner or any person holding a similar office:
  - (a) in the case of a corporation with less than ten (10) shareholders,
    - (i) the corporation;
    - (ii) every director; and
    - (iii) every shareholder;
  - (b) in the case of a corporation with ten (10) or more shareholders, but less than fifty (50),

- (i) the corporation;
  - (ii) every director; and
  - (iii) every shareholder holding or controlling a certain number of shares giving him or her twenty (20) percent or more of the voting rights in the corporation;
- (c) in the case of a corporation with fifty (50) or more shareholders or which is registered with a Canadian Stock Exchange,
- (i) the corporation;
  - (ii) every director or, where applicable, every member of the executive committee of the board of directors;
  - (iii) every person acting as chairman, secretary or holding a similar office;
  - (iv) the person responsible within the corporation for the activities for which the licence is required; and
  - (v) every shareholder holding or controlling a certain number of shares giving him or her ten (10) percent or more of the voting rights in the corporation.
4. In the case of less than ten (10) limited partners, each limited partner shall be licensed and in the case of more than ten (10) limited partners, every limited partner holding or controlling twenty (20) percent or more ownership of the limited partnership shall be licensed.

In the case of a horse or horses shipping into Ontario to race for a stake race or prep for a specific stake race, the Stewards may at their discretion waive any of the above requirements.

#### DELETIONS FROM INDEX

APPRENTICE JOCKEYS  
CONTRACT EMPLOYER NOT TO RIDE FOR OTHER PERSON  
CONTRACT EMPLOYER ORIGINAL  
CONTRACT EMPLOYER DEATH OF  
DEATH, CONTRACT VOID  
OWNER TO HAVE ONE OF  
WHEN STABLE LEAVES ONTARIO



CLAIMING RACE  
BY OWNER NOT OWNING ONE HORSE  
EFFECT ON STABLE SIZE  
OPEN CLAIM

BY ORDER

W. R. McDONNELL  
DIRECTOR

mcj

4367













